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MESSAGE

OF THE

PRESIDENT OF THE UNITED STATES,

AND

ACCOMPANYING DOCUMENTS,

TO THE

TWO HOUSES OF CONGRESS,

AT

THE COMMENCEMENT OF THE FIRST SESSION

OF

THE THIRTY-NINTH CONGRESS.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1865.

REPORT

OF THE

SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
December 4, 1865.

SIR: I have the honor to submit the following summary of the operations of the Department of the Interior during the past year, and of the present condition of the diversified and important public interests under its direction.

LANDS.

It appears from the report of the Commissioner of the General Land Office that during the fiscal year ending June 30, 1865, public lands were disposed of as follows:

Acres sold for cash.....	557, 212. 53
Acres located with military warrants.....	348, 660. 00
Acres located with agricultural scrip.....	460, 130. 27
Acres selected under agricultural college grant.....	808, 358. 11
Acres approved to the States as swamp lands.....	571, 429. 24
Acres approved to the States for railroads.....	607, 415. 39
Acres taken under the homestead law.....	1, 160, 532. 92
	<hr/> 4, 513, 738. 46

During the quarter ending September 30, 1865, the aggregate quantity taken for the same purposes was.....	<hr/> 880, 591. 13
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Making, during five quarters, the total number of acres..	<hr/> <hr/> 5, 394, 329. 59
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The cash receipts from sales, homestead and location fees, for the same five quarters, ending September 30, 1865, were \$1,038,400 78.

The cash sales for the year ending June 30, 1865, amounted to \$748,427 25, an excess of \$70,420 04 over the sum received from the same source the previous year.

During the fiscal year ending June 30, 1865, 4,161,778 acres of public lands were surveyed. The aggregate quantity of surveyed public lands undisposed of September 30, 1865, was 132,285,035 acres.

Owing to the failure of the appropriation for that purpose at the last session of Congress, no contracts have been made for surveys during the current fiscal

year, except where there were unexpended balances from previous years, or where the expense of survey was defrayed by private parties.

The act of September 4, 1841, and the supplemental act of March 3, 1843, confer upon actual settlers, upon certain specified conditions, the right to acquire by pre-emption surveyed public lands. Since that time the right has been, by various acts, extended to unsurveyed lands, but the period within which the claim must be preferred after settlement differs in the several States and Territories, although proof and payment must be made in all before the day prescribed by proclamation of the President for the sale of the body of lands within which the pre-emption claimant has settled. In some the claim of settlement must be filed within three months after the return of the approved plat or survey to the local land offices; in others within six months thereafter; in others within three months after the survey has been made in the field; and in some of the newer Territories there is no specific provision on this subject, but all laws of the United States, which are not locally inapplicable, are declared to be in force. The act of June 6, 1862, "establishing a land office in Colorado, and for other purposes," provides that when unsurveyed lands are claimed by pre-emption, notice of the specified tract claimed shall be filed within six months after the survey has been made in the field, and that on failure to file such notice, or to pay for the tract claimed within twelve months from the filing of such notice, the parties claiming such land shall forfeit all their right therein. This act has been interpreted in some of the local offices as having exclusive application to the Territory of Colorado. This department has not, upon appeal involving any contested right of pre-emption, decided whether the terms of the act are not sufficiently broad to make it applicable to all unsurveyed lands to which the pre-emption settler claims a right. Further legislation is, however, recommended to remove ambiguity and secure harmony in the enforcement of this beneficent policy in all the land States and Territories. No reason is perceived for various and somewhat conflicting laws on this subject in different localities. A few general provisions in regard to unsurveyed lands would suffice; the acts of 1841 and 1843 need no amendment. They regulate the right of pre-emption to such public lands as have been surveyed prior to the date of settlement.

The homestead law has been in operation since the 1st day of January, 1863. Large bodies of lands have been entered under its provisions. Five years continued residence is necessary to the perfection of the title of a homestead settler, unless he prefers to purchase the lands at the minimum price, and obtain a patent. It is estimated that from forty to fifty per cent. of persons who have so claimed the privilege of the homestead law will prefer to make payment, and thus secure title before the expiration of the period when it would otherwise vest. The nominal sum paid by the homestead settler, and the fee which he pays to the local officers, are sufficient to cover the expense incident to the survey and the disposal of the land.

In the enactment of this law Congress was doubtless influenced by the conviction that the settlement and cultivation of the public lands were objects of greater importance to the nation than the increased revenue that might be de-

rived from their sale; and future experience will, it is not doubted, attest the wisdom as well as the beneficence of this legislation.

I approve of the suggestion of the Commissioner of the General Land Office, that the law should prescribe a time within which an appeal should be taken from the decision of the local officers to the General Land Office, and from the latter to the department.

It is a matter of the utmost importance to the settlers in Arizona and New Mexico that early provision should be made by law for the adjustment of Spanish and Mexican titles arising under existing treaties with the Republic of Mexico. As the determination of disputed titles involves questions essentially judicial in their character, it seems to be proper that the tribunals of the United States should be charged with the performance of this duty, in conformity with legislative precedents in regard to claims in Louisiana and other States. A period should be prescribed for prosecuting a claim of title, and the decree of the court should determine not only the validity of the title, but also all incidental questions relating to the limits of the land claimed, which could not be properly determined by the Commissioner of the General Land Office in its survey and location on the earth's surface. In regard to cases heretofore confirmed, the confirmee should be required to have surveys made at his own expense, under the Surveyor General, subject to the supervision of the Commissioner of the General Land Office, and the ultimate control of this department; and where such claims are of loose and undefined extent, some limitation as to quantity should be imposed by law.

The Commissioner of the General Land Office has held that the United States, as the successor of Mexico, has the exclusive and paramount right to all such sites as may be indispensable for forts or other public uses, and this right will be enforced unless Congress shall otherwise order.

The organization of a Bureau of Mining was recommended in the last annual report of this department, and the attention of Congress is again invited to the subject. All lands denominated mineral, which do not bear the precious metals, should be brought into market, and thus placed under the guardianship of private owners. In no other mode, it is believed, can the great forests of timber, the growth of centuries, and of vast value to the nation, be effectually preserved from waste. Individual proprietorship, it is conceded, would stimulate the development of coal fields, petroleum, deposits of iron, lead, and of other gross metals and mineral formations. There can, therefore, be no sufficient reason for withholding such mineral lands from market. Congress has not legislated with a view to securing an income from the product of the precious metals from the public domain. It is estimated that two or three hundred thousand able-bodied men are engaged in such mining operations on the public lands without authority of law, who pay nothing to the government for the privilege, or for the permanent possession of property worth, in many instances, millions to the claimant.

The existing financial condition of the nation obviously requires that all our national resources, and the product of every industrial pursuit should contribute to the payment of the national debt. The wisdom of Congress must decide whether the public interest would be better promoted by a sale in fee of those

mineral lands, or by raising a revenue from their annual product. The impolicy of suffering them to remain in their present condition, without any species of legislation regulating or defining the rights of the parties in interest, must be apparent to all.

There are other questions of interest connected with the public lands, upon which I cannot dwell, without extending this paper beyond allowable limits. For further details I refer to the excellent report of the Commissioner of the General Land Office. It contains interesting statistics and maps, and also presents practical views which merit favorable consideration.

PENSIONS.

The act of February 27, 1865, made an annual allowance of three hundred dollars for life to each of the five survivors of the army of the revolution. Four of these aged and venerable men lived to receive this token of the nation's gratitude. Two of them have since died. William Hutchings, of Penobscot, Hancock county, Maine, aged one hundred and one years, and Samuel Cook, of Clarendon, Orleans county, New York, aged ninety-nine years, are the only persons among the living known to the department, who participated in the heroic struggle which achieved our national independence.

The names of one thousand one hundred and fifteen widows of revolutionary soldiers are inscribed on the pension roll's.

The right to a pension was confined, by the act of July 4, 1836, to those whose marriage with the deceased soldier took place before the close of his military service. It was subsequently extended, by the act of February 21, 1848, to those whose marriage took place prior to January 1, 1794, and by the act of July 29, 1848, to such as were married prior, and by the act of February 3, 1853, to those who were married subsequent, to January 1, 1800. Under the first named law, there are four surviving claimants, under the second, one hundred and eight; under the third, seventy; and under the fourth, eight hundred and eighty, to five of whom pensions were allowed during the last fiscal year. The remaining widows of revolutionary soldiers receive their pension under special acts of Congress.

During the fiscal year ending June 30, 1865, the names of fourteen thousand nine hundred and sixty-two army invalid pensioners were, on original application, added to the roll, and the number, to whom the pension theretofore awarded was increased, amounted to three hundred and sixty-six. The whole number admitted was fifteen thousand three hundred and twenty-eight, requiring an annual payment of one million two hundred and twenty thousand seven hundred and eighty-five dollars and ninety cents, (\$1,220,785 90.)

The aggregate number of claims of widows, or other dependent relatives of soldiers of the army, (except Revolutionary,) allowed during the same period, was twenty-four thousand six hundred and ninety-three; and the number of pensions of this class which were increased during the same period was fourteen, making a total of twenty-four thousand seven hundred and seven, and constituting an annual charge of two million five hundred and seventy four thousand one hundred and seventy-nine dollars, (\$2,574,179.)

There was paid during the same year to army invalids, Revolutionary soldiers, widows and other dependent relatives, including arrearages of pensions and expenses properly chargeable to the appropriation for Revolutionary pensions, the sum of eight million three hundred and nineteen thousand six hundred and seventy-two dollars and forty-nine cents, (\$8,319,672 49.) The total number of army pensioners on the rolls at the close of the year ending June 30, 1865, was eighty-four thousand one hundred and thirty, requiring for the payment thereof, exclusive of expenses, an annual appropriation of seven million seven hundred and ninety-two thousand seven hundred and seventy-two dollars and fifty one cents (\$7,792,772 51.)

The number of navy invalid pensions allowed on original applications during that fiscal year was two hundred and fifty, and there were seven navy invalids whose pensions were increased. Two hundred and sixty-six navy pensions were awarded to widows or other dependent relatives of deceased officers, seamen, or marines. The aggregate amount paid to naval pensioners of all classes was two hundred and five thousand four hundred and eighty dollars and sixty-two cents, (\$205,480 62.) At the close of the fiscal year there were on the navy pension rolls eight hundred and thirty-nine invalids, the amount of whose pensions was sixty-one thousand eight-hundred and fifty-four dollars and ninety-two cents, (\$61,854 92,) and one thousand and seventeen widows and other dependent relatives, requiring the sum of one hundred and sixty-eight thousand eight hundred and eighteen dollars, (\$168,818.) The total number of navy pensioners at that date was eighteen hundred and fifty-six, whose annual stipends amount to two hundred and thirty thousand six hundred and seventy-two dollars, and ninety-two cents, (\$230,672 92. The total amount, therefore, required for the payment of pensions of all classes adjudicated and allowed up to the close of the last fiscal year, or conferred by special acts of Congress, is, exclusive of expenses, eight million twenty-three thousand four hundred and forty-five dollars and forty-three cents, (\$8,023,445 43.)

The navy pension fund, which had accumulated under the act of April 22, 1800, was exhausted many years since; and Congress, by the act of July 17, 1862, declared that all moneys accruing, or which had already accrued, to the United States from the sale of prizes should be, and remain forever, a fund for the payment of pensions to the officers, seamen, and marines, who might be entitled to receive the same. If the fund should be insufficient for this purpose, the public faith was thereby pledged to make up the deficiency; if it should be more than sufficient, the surplus was to be applied for the making of further provision for the comfort of the officers, seamen, and marines. The act of July 1, 1864, provides for the investment in the registered securities of the United States of so much of the fund as is not required for the payment of naval pensions, that is, such pensions as by law are chargeable thereto. When the interest payable in coin upon such securities is collected, it is made the duty of the Secretary of the Navy to exchange the amount of such interest for so much of the legal currency of the United States, as may be obtained therefor at the current rate of premium on gold. The interest, so converted, is to be deposited in the treasury to the credit of the fund. The latter is made applicable, by the

act of 1862, to the payment of the pensions of disabled officers, seamen, and marines, but not of the widows and other dependent relatives of such as have died of wounds received, or of disease contracted, in the service. The fund invested in gold bearing registered bonds of the United States amounts to nine million dollars, and there is on hand, subject to investment, or use if required, the sum of one million three hundred and ninety-five thousand one hundred and fourteen dollars and twenty-one cents, (1,395,114 21.) The annual interest upon the invested fund, if payable in paper currency, exceeds by one hundred per cent. the amount required for the payment of all naval pensions authorized by existing laws. No necessity exists, nor is any likely ever to occur, for the large and constantly increasing accumulation of this fund; but further legislative action is necessary to subject it to the payment of all classes of navy pensions.

Pension agencies were suspended in those parts of the country where the national authority was resisted and loyal State governments subverted during the rebellion. Pursuant to your orders such agencies are being resumed whenever required for the accommodation of restored pensioners, or of such as have been recently added to the rolls. Agents have been appointed at Richmond, Va., Nashville and Knoxville, Tenn., Little Rock, Ark., and New Orleans, La. The act of February 4, 1862, prohibited the payment of a pension to any one who had taken or might thereafter take arms against the government of the United States, "or who had in any manner encouraged the rebels or manifested a sympathy with their cause." Most of the acts, making appropriations for pensions within the last four years, contain a proviso that no portion of the money shall be paid to a disloyal person. The names of all pensioners residing during the rebellion in the parts of the country to which I have adverted, as well as a large number of disloyal pensioners residing in other portions of the Union, have been dropped from the rolls. All those of the former class forfeited their pension from the date of the proclamation declaring the State in which they respectively resided to be in rebellion. Such of them as claim the benefit of the pension laws and a restoration to the rolls are required to make application, supported by due proof, in accordance with forms and instructions adopted for the adjudication of these special cases, and to take and subscribe the oath prescribed in your amnesty proclamation. The right to a pension inures and takes effect from the date of the completion of the proof establishing the right to such restoration.

The regulations governing the production of proofs, and the decision of cases in the Pension Bureau, were prepared by the Commissioner and approved by this department. The rigid enforcement of them has been the subject of occasional complaint; but whilst it may work hardship in a few exceptional cases, it is, in my judgment, indispensable to the prevention of abuses and the rejection of unfounded and fraudulent demands. Every facility is extended for the presentation and establishment of claims, and they are determined with all the promptitude consistent with a due investigation of their merits.

The increasing number of pension applications requires that the appropriation for the next should largely exceed that made for the current fiscal year. Without regard to the amount they involve, our engagements to our gallant army and navy must be performed with scrupulous fidelity. Their sacrifices for an

imperiled country have been blessed in the preservation of its unity, the maintenance of the just authority of the national government, and the vindication of the principles of civil liberty, which the fathers of the republic bequeathed to their children.

For further information relating to this branch of the service, I respectfully refer to the able and elaborate report of the Commissioner of Pensions.

INDIAN AFFAIRS.

The number of Indians residing within the jurisdiction of the United States does not probably exceed 350,000, a large majority of whom maintained during the past year peaceful relations. Some of them have made gratifying progress in civilization and manifested, during the late war, a steadfast loyalty to our flag worthy of emphatic commendation. Civilized and powerful tribes, however, residing within the Indian territory, united early in the year 1861 with the Indians of the prairies immediately west and north, for hostile operations against the United States. In flagrant violation of treaties which had been observed by us with scrupulous good faith, and in the absence of any just ground of complaint, these confederated Indians entered into an alliance with the rebel authorities and raised regiments in support of their cause. Their organized troops fought side by side with rebel soldiers, and detached bands made frequent assaults on the neighboring white settlements, which were without adequate means of defence, and on the Indians, who maintained friendly relations with this government. This state of things continued until the surrender of the rebel forces west of the Mississippi. Hostilities were then suspended, and, at the request of the Indians, commissioners were sent to negotiate a treaty of peace. Such preliminary arrangements were made as, it is believed, will result in the abolition of slavery among them, the cession within the Indian territory of lands for the settlement of the civilized Indians now residing on reservations elsewhere, and the ultimate establishment of civil government, subject to the supervision of the United States.

The perfidious conduct of the Indians in making unprovoked war upon us has been visited with the severest retribution. The country within the Indian territory has been laid waste, vast amounts of property destroyed, and the inhabitants reduced from a prosperous condition to such extreme destitution, that thousands of them must inevitably perish during the present winter, unless timely provision be made by this government for their relief.

Hostile relations, such as have existed for several generations, continue between many of the most fierce and warlike tribes of New Mexico and Arizona and the white inhabitants. A considerable military force is necessary for the protection of the latter and the maintenance of public order.

The Indians of the plains, who subsist chiefly on buffalo, follow them on their migration toward the north in the early part of the summer, and return in autumn, spreading over the western part of the State of Kansas and the Territories of Nebraska, Dakota, Montana, and Colorado. Influenced by the unfriendly Indians of the southwest, and probably incited by rebel emissaries, they maintained active and vigorous hostilities. Our defenceless frontier set-

tlements were harassed; the communication between the Mississippi valley and our possessions on the Pacific seriously interrupted; emigrant and government trains assailed; property of great value destroyed, and men, women, and children barbarously murdered. It became the imperative duty of the government to send military expeditions against these savages, which checked the commission of further outrages, and induced them to sue for peace. On the recommendation of the generals in command of our forces, a commission, composed of officers of the army and civilians, was sent to the Upper Arkansas and the Upper Missouri. Satisfactory treaties have been negotiated with a large number of these tribes. Some of them could not be reached on account of the lateness of the season, but it is believed that similar arrangements can be made with them during the early part of the approaching spring.

It is difficult to maintain peaceful relations with the Indians in Minnesota. The terrible massacre of the white inhabitants in the year 1862 is fresh in the memory of the country. The intense exasperation which followed led in that State to a policy, which has also prevailed to some extent in several of our organized Territories, inducing a personal predatory warfare between the frontier citizens, emigrants, and miners, and isolated bands of Indians belonging, in many instances, to tribes at peace with the government. This awakens a spirit of retaliation, inciting atrocious acts of violence, which, oft repeated, result in irreparable disasters to both races.

The policy of the total destruction of the Indians has been openly advocated by gentlemen of high position, intelligence, and personal character; but no enlightened nation can adopt or sanction it without a forfeiture of its self-respect and the respect of the civilized nations of the earth.

Financial considerations forbid the inauguration of such a policy. The attempted destruction of three hundred thousand of these people, accustomed to a nomadic life, subsisting upon the spontaneous productions of the earth, and familiar with the fastnesses of the mountains and the swamps of the plains, would involve an appalling sacrifice of the lives of our soldiers and frontier settlers, and the expenditure of untold treasure. It is estimated that the maintenance of each regiment of troops engaged against the Indians of the plains costs the government two million dollars per annum. All the military operations of last summer have not occasioned the immediate destruction of more than a few hundred Indian warriors. Such a policy is manifestly as impracticable as it is in violation of every dictate of humanity and Christian duty.

It is therefore recommended that stringent legislation be adopted for the punishment of violations of the rights of persons and property of members of Indian tribes who are at peace with the government.

Sufficient appropriations should be made to supply the pressing wants of these wards of the government, resulting from the encroaching settlements springing up in every organized territory. The occupation of their hunting grounds and fisheries by agriculturists, and even of their mountain fastnesses by miners, has necessarily deprived the Indians of their accustomed means of support and reduced them to extreme want. If the deficiency so occasioned

should not be supplied, it is not to be expected that a savage people can be restrained from seeking, by violence, redress of what they conceive to be a grievous wrong

That their growing wants thus caused may not become a perpetual burden, every reasonable effort should be made to induce the Indians to adopt agricultural and pastoral pursuits. It is recommended that Congress provide a civilization and educational fund, to be disbursed in such mode as to secure the co-operation and assistance of benevolent organizations, affording an opportunity for private citizens to dispense their charities to these impoverished children of the forest through the usual channels. It is believed that all the Christian churches would gladly occupy this missionary field, supplying a large per cent. of the means necessary for their instruction, and thus bring into contact with the Indian tribes a class of men and women whose lives conform to a higher standard of morals than that which is recognized as obligatory by too many of the present employes of the government.

On taking charge of this department on the 15th day of May last, the relations of officers respectively engaged in the military and civil departments in the Indian country were in an unsatisfactory condition. A supposed conflict of jurisdiction and a want of confidence in each other led to mutual criminations, whereby the success of military operations against hostile tribes and the execution of the policy of this department were seriously impeded. Upon conferring with the War Department, it was informally agreed that the agents and officers under the control of the Secretary of the Interior should hold no intercourse, except through the military authorities, with tribes of Indians against whom hostile measures were in progress; and that the military authorities should refrain from interference with such agents and officers in their relations with all other tribes, except to afford the necessary aid for the enforcement of the regulations of this department. This informal arrangement has been executed in good faith, producing, it is believed, a salutary effect on the bearing of the hostile tribes, and securing the desired harmony and efficient co-operation of those charged with this branch of the public service.

It is earnestly recommended that the superintendents, and also agents of a suitable grade, be empowered to act as civil magistrates within the limits of reservations where the tribal relations are maintained, and also on the plains remote from the jurisdiction of the civil authorities. The want of an acceptable and efficient provision for the administration of justice has been sensibly felt in cases arising between members of the tribes, or between Indians and the white men who have been permitted to reside among them. The extent of the jurisdiction and the mode of its exercise should be clearly defined by congressional enactment.

The Secretary of the Treasury holds certain stocks in trust for the Chickasaw national fund, which amount, as appears by his report of the 6th of December last, to the sum of one million three hundred and sixteen thousand two hundred and eighty-one dollars and thirty-one cents (\$1,316,281 31.) Public securities and certificates of stock of the par value of three million, fifty-three thousand five hundred and ninety-two dollars and fifteen cents, (\$3,053,592 15.)

constituting the trust fund of other Indian tribes, are deposited with the Secretary of the Interior. I am not aware of any good reason for a divided custody of these funds. It is suggested that Congress designate a depository for all the securities held by the United States in trust for the Indians.

Copious details in regard to each branch of the Indian service are furnished in the voluminous and well considered report of the Commissioner of Indian Affairs. I respectfully refer to it for further information, and commend the various suggestions it contains to the favorable consideration of Congress.

PATENTS.

During the year ending September 30, 1865, there were received at the Patent Office eleven thousand eight hundred and sixty applications for patents, and seventy applications for an extension of patents. Six thousand two hundred and ninety-two patents (including re-issues and designs) were issued, and sixty-one extensions granted. One thousand five hundred and thirty-eight caveats were filed. Seven hundred and forty-one applications allowed, but no patents issued thereon by reason of the non-payment of the final fee.

On the first day of October, 1864, there was a balance to the credit of the fund of fifty-six thousand one hundred and seventeen dollars and thirty-nine cents, (\$56,117 39.) The fees received for the succeeding twelve months amounted to three hundred and sixteen thousand nine hundred and eighty-seven dollars and twenty-seven cents, (\$316,987 27.) The expenditures during the same period were two hundred and sixty-two thousand four hundred and forty-five dollars and forty-seven cents, (\$262,445 47.) Leaving a balance on the first day of October, 1865, of one hundred and ten thousand six hundred and fifty-nine dollars and nineteen cents, (\$110,659 19.)

The law provides that in interference cases, or where letters patent have been refused, an appeal lies from the decision of the primary examiner to the examiners in chief, and from their decision to the Commissioner of Patents. According to a judicial construction of existing laws, an appeal may be taken from the decision of the Commissioner to the chief justice, or one of the associate judges of the supreme court of this District. This procedure is unnecessarily circuitous and protracted, and should be abridged by an amendment of the law so as to allow an appeal from the decision of the primary examiner or the examiners in chief directly to the supreme court of the District of Columbia, if the party against whom it is rendered so elects.

The Commissioner of Patents is clothed with unrestrained discretionary power in all cases of application for the extension of patents. His decision, whether favorable or unfavorable, is final, and frequently involves private and public interests of enormous value. It is submitted for the consideration of Congress whether it is wise to lodge so large a power with a subordinate officer, without subjecting its exercise to the supervisory control of the head of the department.

CENSUS.

Immediately after entering on the discharge of my official duties, my attention was directed to the condition of the work relating to the returns of the eighth census. Two quarto volumes had been published; one in March, 1864, entitled "Population," the other in March, 1865, entitled "Agriculture;" and materials had been compiled for a portion of the third volume. A preliminary report, purporting to present "a synopsis of the results" established by the census, had also been transmitted to Congress on the twenty-first day of May, 1862.

The entire appropriation of one million six hundred and forty-two thousand dollars was exhausted, and liabilities, amounting to a considerable sum, had not been discharged. The liberal appropriation justified the general expectation that an authentic and faithful record of our population, condition and resources, at the commencement of the decade, would be published at an early period after the completion of the census returns. The value of statistical matter derived from such records is materially impaired for practical uses by procrastinating its publication. This is especially true in a country rapidly increasing in the elements of material wealth, where all industrial pursuits are prosecuted with unexampled vigor and success.

The work on the census of 1860 had been unreasonably delayed, and the department deemed the immediate and energetic prosecution of it of vital importance; but there was no fund specifically applicable to the purpose. The diminished business of the General Land Office, resulting from the condition of affairs in the southern States, had not required the appointment of the full number of clerks authorized by law; and some of those engaged upon the census were, with your approbation, transferred to that bureau. This placed them under the supervision of its efficient head, and rendered the services of the former superintending clerk of the census no longer necessary. I expressed to the Commissioner an anxious desire that the remaining volumes should be prepared for the press with all the promptitude consistent with a scrupulous regard to accuracy, and I am happy to say that it has been fully realized. The returns have been arranged and classified in the most careful and thorough manner, and the work has been advanced with a despatch in striking contrast with its former tardy progress. The third volume, entitled "Manufactures," has been completed and printed. The fourth and last volume, embracing mortuary, educational, and miscellaneous statistics, has been prepared for the public printer, and will be ready for distribution at an early day. The clerks were transferred to positions inferior in grade and remuneration to those they had previously held, as there were no other vacancies. I submit to Congress the propriety of making their pay equivalent to that which they formerly received, and of providing additional compensation for the Commissioner and the chief clerk of the General Land Office, in consideration of the increased duties and responsibilities which devolved upon them.

The expediency of providing means to enable this department to lay before

Congress annually a report on population, and the manufacturing and other material interests of the United States, is, in my opinion, worthy of the consideration of Congress.

UNION PACIFIC RAILROAD.

The act approved July 1, 1862, to aid in the construction of a railroad from the Missouri river to the navigable waters of the Pacific, and subsequent legislation on this subject, with its hearty approval by the people, furnish a striking proof of the unconquerable determination of the nation and an unfaltering faith in its ability to preserve its territorial integrity. Had it been deemed possible that our country could fall a prey to rebellion, and its dissevered parts become subjected to the control of separate and alien governments, the construction of such a work would never have been undertaken and its execution would have been impracticable. Although, at the date of the enactment of these several laws, the resources of the nation were severely taxed, measures were adopted deemed adequate to induce capitalists to engage in the construction of this great thoroughfare, in the conviction that it would forever remain the property of a united people. The energy displayed in its prosecution for two or three years did not, however, equal public expectation and the wishes of the government. But during the past year, as will be seen from the report of Lieutenant Colonel Simpson, of the engineer corps of the army, detailed by your order to serve, under the instructions of the Secretary of the Interior, in supervising this and other kindred works, it has been progressing in a satisfactory manner, from Omaha, Kansas city, and Atchison, westward, and from Sacramento, California, eastward.

The amount of private capital already invested, the high personal character of the gentlemen connected with its prosecution, and the munificent subsidy of the government, combine to give assurance that the whole will be completed within the period fixed by law, thus furnishing a continuous line of railway from the Atlantic to the Pacific.

Its effects, in promoting immigration, opening vast and rich regions of the continent to settlement, developing our inexhaustible national resources, and perpetuating the unity of the American people, will be more and more appreciated as it approaches completion.

The Union Pacific Railroad Company, incorporated under the congressional act above cited, reports, by its president, under date of the 5th ultimo, that on the 19th of October last sixteen miles of track had been laid west from Omaha, and that arrangements had been made to prosecute the work at the rate of one half mile per day. The company has five locomotives and seventy cars on the road. Machine-shops and station-buildings of the most permanent character are in progress of construction, and will be finished in the course of the present month. The grading of the first hundred miles was, at that date, nearly ready for the superstructure, and that of the second hundred miles had been commenced. The first sixty miles of the track will be ready by the end of next month, and no doubt is entertained that the first hundred miles will be in operation by the first day of July next, in compliance with the requirements of law

The directors express the belief that an additional hundred miles will be in operation by the first day of July, 1867, and they are not without hope that they will, at that date, have constructed two hundred and fifty miles of road, and reached the one hundredth meridian, where the line of the eastern division, commonly called the Kansas branch, is to unite with it.

Several parties of engineers have been actively engaged; one in surveying the Spanish fork and the country west from Salt lake to the valley of the Humboldt; another up the Oache de la Poudre to the Laramie river, and a third from the one hundredth meridian west. A fourth has been occupied in locating the second hundred miles of the road. Strenuous efforts have been made by the directors to press on the work with a despatch commensurate with its acknowledged importance. The expenditures already amount to three and a half million dollars, wholly derived from private contributions.

In this connexion it may not be amiss to state that on the 12th of May last the company made application to substitute a new line for that adopted between Omaha and the crossing of the Elkhorn. It was deemed advisable, before determining which line offered the most "direct and practicable route," to order a thorough personal examination of both by a competent engineer, who was instructed to report on their relative advantages. The officer detailed by the Secretary of War at my request, as above mentioned, discharged this duty with fidelity and success. His report embraces the instructions of the department, as well as the result of his careful examination, and the correspondence to which it gave rise.

The contemplated new location received your approval. Some time was in this way unavoidably consumed, and the company deemed it expedient to suspend active operations on that part of the road, until the result of your final action upon the application was officially communicated.

The Union Pacific Railroad Company, eastern division, has completed forty miles of the railway and telegraph line, extending from the mouth of the Kansas river to a point near Lawrence; and it had in October last four locomotives on the road, and was then expecting the arrival of another at Wyandotte. There were on the track three first-class passenger, forty-four freight, twenty-one box, one baggage, twelve hand-cars, and two iron truck-cars. The company has also contracted for four additional first-class passenger, two express and mail, and ten box freight-cars, all to be delivered within a short period. The company reported on the 11th ultimo that an additional section of twenty miles had been completed, which is now in process of examination by commissioners, in the mode required by law. Surveys have been extended to the one hundredth meridian, a distance of about three hundred and eighty-one miles. There is also a party in the field making surveys of the Smoky Hill route, who are to extend their surveys to Denver city, about five hundred and eighty-one miles from the eastern terminus of the road.

The president of the Atchison branch of the Union Pacific Railroad submitted a report bearing date the 15th ultimo. It represents that the bridges and masonry on the first section of twenty miles of the road are all completed, cross-ties prepared, the track being laid, and that this portion of the road is

under contract, and will be finished by the first day of January next. It further represents that the bridges are constructed of the best materials, and that the buildings now in process of erection are of stone, roofed with corrugated iron; that the second section of twenty miles is also under contract, and will be completed on the first day of May next.

The commissioners appointed by your predecessor, under date September 8, 1864, reported upon thirty-one miles of the railway and telegraph line constructed by the Central Pacific Railroad Company of California. This part of the road, extending eastward from Sacramento city to a point near Newcastle, in Placer county, California, is completed and in daily use. Under date of the 17th July last, twelve additional miles of the road were reported to be in running order. On the 16th day of September last, the president of the company filed in the office of the surveyor general of California his affidavit, setting forth that the company had completed the grading and all the work required to prepare the railroad for the superstructure on the section of twenty miles lying next eastward of the town of Newcastle, at an expense of one million and ninety-eight thousand dollars. Five thousand laborers, it is alleged, are employed, and the company manifest the greatest vigor and activity in carrying on their operations.

On the 24th day of December last, the Sioux City and Pacific Railroad Company, a corporation organized under the laws of Iowa, was designated by the President of the United States for the purpose of constructing and operating a line of railroad and telegraph from Sioux City to such point on, and so as to connect with, the Iowa branch of the Union Pacific Railroad, from Omaha, or the Union Pacific railroad, as the company might select. The president of the company, on the 15th of June last, submitted a map designating the general route of said road, but the department is not advised that its construction has been commenced.

I cordially concur in the views expressed by my predecessor in his last annual report, as to the propriety of securing, if practicable, the appointment of government directors in each of the companies engaged in the construction of a branch or any part of the main line of this road. Such directors are now appointed for the company organized under the act of Congress, and with evident advantage to the public interests. The concurrent action of the States from which the companies derive their corporate power, and the consent of the latter, may be necessary to accomplish the object; but Congress might with propriety initiate the requisite legislation on the part of the general government.

The patents for land and the bonds provided for in the fourth and fifth sections of the original act are not to be issued on the completion of a section of the road, until the fact of its construction and equipment as a first class railroad shall have been ascertained and declared in the mode prescribed. The words "*first class railroad*" are, perhaps, as precise and definite as any other; but some difficulty may arise in the practical enforcement of the provision in which they occur. With a view to obviate the difficulty, and secure uniformity, I have invited the directors, on the part of the government, and the several boards of commissioners to meet in this city on the 10th proximo, for the purpose of

establishing a standard of excellence, to which the companies in the construction and equipment of their respective roads shall be required to conform.

The Northern Pacific Railroad Company, on the 11th of December, 1864, filed their acceptance of the provisions of the act of Congress entitled "An act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound, on the Pacific coast, by the northern route;" and under date of the 6th March last submitted their map designating the general direction of their road from a point on Lake Superior, in the State of Wisconsin, to a point on Puget Sound, in Washington Territory. The records of the department do not, however, show any further action by the company in the premises.

WAGON ROADS.

By an act approved March 3, 1865, Congress made appropriations for the construction of certain wagon roads in Montana, Dakota, Idaho, and Nebraska. I refer you to the report of Colonel Simpson for information as to the manner in which the appropriations have been expended, and the progress made in the construction of these highways.

WASHINGTON AQUEDUCT

Congress at its last session made no provision for the Washington Aqueduct. As the appropriation for the last fiscal year was nearly exhausted, I dispensed with the services of such of the employés as were not indispensable, and reserved the small balance for such repairs as might be required for the preservation of the work until the meeting of Congress. The engineer in charge is of opinion that the dam of solid stone masonry already commenced across the Maryland channel of the Potomac river, at the head of the conduit, is absolutely necessary to secure "an abundant and needful supply of good and wholesome water" during certain seasons of the year, and that it should be completed with the least possible delay. The temporary dams erected from time to time have repeatedly been carried away. Nothing, in his opinion, will effectually serve the purpose but a dam of the character indicated, and he urges its construction upon the grounds of economy as well as of necessity. He reports in favor of the completion of the connecting conduit at the receiving reservoir, the further excavation and deepening of the distributing reservoir, and also the construction of a sloped rubble wall, to prevent the washing of its interior slopes or water faces.

His suggestions are respectfully submitted for the consideration of Congress.

Lieutenant Colonel Simpson has been permanently assigned to duty in this department. His services have been advantageously employed on the work connected with the construction of the Union Pacific railroad and branches, the Northern Pacific railroad, land grant railroads, wagon roads, the aqueduct and Capitol extension; all of which require the supervision of a competent and practical engineer. His report embraces a connected history of the inception and progress of the Union Pacific railroad, compiled from public records and other authentic sources, and other valuable matter, with practical suggestions proper for the consideration of Congress.

Provision should be made for the clerical force rendered necessary by the increasing correspondence and duties relating to these important works, and other incidental expenses that must unavoidably be incurred, for which an estimate has been submitted.

CAPITOL AND LIBRARY EXTENSION, AND GOVERNMENT PRINTING OFFICE.

The report of the architect of the Capitol extension furnishes full information concerning the condition and progress of the work. Since the report of his predecessor, the eastern portico of the south wing, including the steps and carriage ways to the same, has been completed, with the exception of the caps of the cheek blocks, delayed for the want of marble of the requisite dimensions. One of these has been finished, and eleven pieces of marble for the others are now on the grounds.

The greater part of the marble work for the north portico has been prepared during the present season, and this portion of the work is now completed. Seventy-three blocks for cornice, architraves, &c., and nine monolithic columns have been prepared for the unfinished porticos. Some years since the government acceded to an interpretation of the contract, insisted on by the contractors, which allowed them to furnish marble of such dimensions as to require two pieces in the construction of each column. There is on hand material for eight columns of that description. The architect recommends that they be placed alternately with monolithic columns in the western porticos.

Congress, at its last session, made no appropriation for this work, and the architect estimates that a hundred and seventy-five thousand dollars (\$175,000) will be required to continue it during the present fiscal year, and two hundred thousand dollars (\$200,000) for the fiscal year ending June 30, 1867.

Attention is invited to that part of the report which relates to the necessity of extending the central building and portico to the line of the porticos of the wings, and of enlarging the Capitol grounds. The architect recommends that the plans prepared for these purposes by his predecessor be adopted and carried into effect.

The arrangements for lighting the new dome, by Gardner's electro-magnetic apparatus, are in progress. A further appropriation is necessary for the completion of the dome, which is now nearly finished, and to discharge existing liabilities for work already done upon it.

An act of last session authorized "an enlargement of the library of Congress, so as to include in two wings, built fire-proof, the space at either end of the present library." The then architect of the Capitol extension prepared the requisite plans and specifications for the work. Competition was invited by newspaper publication in several of the large cities of the Union, and a contract for the labor and materials awarded to a responsible party for the sum of one hundred and forty-six thousand dollars, being fourteen thousand less than that appropriated by Congress. The work, although delayed by unforeseen causes, has been faithfully and successfully prosecuted, and its completion will not be long deferred. Additional expenditure must be incurred for the introduction of water into the library, the cutting off and replacing the gas mains which supplied the

building and passed through the wings which will be occupied by the library, and other incidental alterations which were not anticipated and specified by the architect, but which, as the work progresses, are found to be necessary.

After a suspension of nearly four years, the work on the north portico of the Interior Department has been resumed under a contract made in the year 1857. The price of labor and materials during the intervening period had so largely increased as, in the opinion of the architect, to render the contract entirely unremunerative. I therefore gave the contractors the option of abandoning the contract, or prosecuting the work at the rate it prescribes. An estimate has been submitted of the amount requisite to finish the portico, iron fence and pavement.

The saloon of the north front of the department has been appropriated for the use of the Patent Office, and fitted up with cases. They are designed for the exhibition and safe-keeping of models, and are of the most approved materials and workmanship. An appropriation is necessary to meet outstanding accounts and to complete the saloon.

The Government Printing Office has been enlarged and extended agreeably to an act of the last Congress making provision for that purpose, and for capacity and convenience is believed to be now unsurpassed by any similar establishment in the country.

DISTRICT AFFAIRS.

The power conferred on Congress of exclusive legislation for the District of Columbia imposes the corresponding duty of making just and adequate provision for its welfare. Its local interests, so liable to be overlooked in the midst of subjects of more general and engrossing concern, fall to some extent within the province of this department, and require a special allusion.

The annual report of the Commissioner of Public Buildings gives a detailed account of the expenditures authorized by Congress within this District. I have also received a communication from the mayor of the city of Washington, which I have directed to be printed. These papers present important facts and considerations which merit the attention of the legislative department.

The controlling object in the original design of this city was the accommodation of the public interests which it was anticipated would cluster about the capital of a great nation. Accordingly, only three thousand and sixteen of the seven thousand one hundred and thirty-four acres composing its entire area were surveyed into lots for sale to individuals. The remainder embraces streets, avenues of inordinate width, squares, circles, and public reservations. By the adoption of this design, it is manifest that it was not intended that the sparse population thus provided for should bear the burden of the entire cost of the local improvements, required more for the national convenience than for that of the permanent residents. At the last assessment the national government owned real estate within the city limits to the value of \$28,121,631 45—a sum nearly equal to the estimated worth of all individual property in the city. At the usual rate of taxation this property would yield a revenue of \$210,912 23.

The mayor suggests that such a tax, in connexion with the present resources, would yield a revenue amply sufficient to support the municipal government, improve the streets and avenues, make proper provision for the indigent, and maintain a complete system of public schools.

In the year 1820 Congress provided that from the proceeds of the sale of public lots reimbursement should be made to the city of Washington of an equitable proportion of the expenses thereafter incurred in laying open, paving, and otherwise improving the streets and avenues adjacent to the public squares and reservations. I am informed that, since the passage of this act, three thousand seven hundred and twenty-five lots of this class have been sold, and the proceeds paid into the treasury of the United States, while no reimbursement has been made to the city for the sum of thirty-seven thousand four hundred and ten dollars and sixty-one cents paid for improvements properly chargeable to this fund. An appropriation should be made for refunding this amount and the interest which has accrued thereon. During the past summer and fall the improvement of streets adjacent to public property has rendered the government liable to a considerable amount, and an additional sum will be needed to meet similar expenses which will probably be incurred during the next fiscal year. It is hoped that Congress will at an early date make provision to meet these liabilities. Several of the streets of Washington have been paved in a neat and substantial manner since the adjournment of Congress, and the municipal authorities are making like improvements upon other streets, which will add greatly both to their beauty and their utility as public thoroughfares. It is submitted that Congress should encourage this spirit by corresponding improvements upon the avenues. The Commissioner of Public Buildings refers to the dilapidated condition of the pavement on Pennsylvania avenue, and recommends that an appropriation be made by Congress for the substitution of either the Belgian or the Nicholson pavement throughout its length, and also for the opening and grading of such of the remaining avenues leading to the Capitol as remain closed. These avenues are under the exclusive control of Congress, and justice seems imperatively to require that the national government should defray the expense of paving and keeping them in repair. If the burden of paving the avenues, as well as the streets, is to be thrown upon the owners of contiguous property, the mayor suggests that the law be so amended as to reduce the width of the carriage-ways, and that the intervening space between them and the pavement be flanked with a line of curbstones, sodded, and planted with ornamental shade trees.

I recommend that the law authorizing a local tax for sewerage be so amended as to enable the city to levy the same equitably upon all property benefited by such improvement. A general system of sewerage should at once be adopted by the city, the expense of which should be borne in part by the government.

I invite the attention of Congress to the views of the mayor touching the locality occupied by the Centre market. For a long time this space has been disfigured by dilapidated and unsightly sheds and stalls, called a "Market House." The city, in the belief that it was authorized to appropriate the ground, made efforts to replace these by a commodious building of correct

architectural proportions, properly furnished for the public accommodation. Its erection had been commenced, but the work was suspended in compliance with the supposed requirements of a joint resolution, approved June 30, 1864, authorizing the Secretary of the Interior to reclaim and preserve certain property of the United States. I commend the subject to your consideration, with a view to such legislation as the convenience of the city and the interests of the public require.

The mayor's communication also calls attention to the fact that the youths of the District are largely in excess of the accommodation which can be furnished them in the public schools. No doubt many of them are receiving education in private institutions; but it is feared that many are absolutely destitute of the means of instruction. All experience demonstrates that virtue and thrift are the natural results of education, while pauperism, vice, and crime are the legitimate fruits of ignorance; and that it is more economical to maintain schools as a preventive, than to support the pauperism and punish the crime that ignorance engenders. From the establishment of the national capital in the District of Columbia, the expenses incident to such support and punishment have been paid by the government of the United States. It is worthy of serious consideration, therefore, whether a just proportion of the expense of the public schools in this District should not be provided for from the same source; and it is believed that Congress will thus be able to diminish the expenditures from the judiciary fund far more than they will be expected to augment the educational fund of this District. The propriety of this provision is still further shown by the consideration of the fact that a large proportion of the people of this District are in the service of the United States, on small salaries, and regard themselves as transient inhabitants. If possessed of property, it is generally located elsewhere, and the taxes levied upon it are applied to the support of the institutions of those localities, while their children live in this District, and, if educated in the public schools, swell the tax to be levied on the property of permanent citizens. The number of transient and non-tax-paying persons has been largely increased during the war by the ingress of multitudes of both white and colored people who have fled from its perils and desolations. Justice as well as economy demands that provision be made from the national treasury for the education of the children of these classes.

The canal leading from the Potomac river, through the heart of the capital, to the Eastern branch, has been made the receptacle of the filth and offal from all the sewerage of the city. It has thus become a loathsome cesspool, fruitful of disease, and inviting pestilence. The city authorities can exercise no legal control over it, as it is bordered almost exclusively by government reservations. These are deteriorating in value on account of this constantly increasing and almost insufferable nuisance. It is nearly useless for navigation, by reason of accumulations within it; and it should either be deepened and improved for the passage of shipping, or at once abandoned as a canal. In the latter alternative, it should be diminished in width to suitable dimensions, arched over, and used exclusively as a main sewer. The proceeds of the land

thus reclaimed, if brought into market, would defray a large proportion of the expense occasioned by the change. This nuisance lies almost at the threshold of the Capitol, the Executive Mansion, and other costly public edifices. If Congress should refuse to provide the requisite means for its improvement in the mode which I have suggested, exclusive authority over it should be conferred upon the city of Washington.

The report of the Commissioner of Public Buildings refers to the neglected condition of many of the triangular and circular public reservations. Instead of being abandoned to the public, they should be neatly and substantially enclosed, and planted with trees and shrubbery. The reservation on East Capitol street, between Eleventh and Thirteenth streets east, should be thus improved.

By the act approved May 25, 1832, the Commissioner of Public Buildings was authorized to purchase a tract of land surrounding a large and never-failing spring of the purest water, including the rights of individuals to its use, and to bring it in pipes, a distance of about two miles, to the Capitol, at a cost of forty thousand dollars. From that spring comes the flow of water which fills the fountains directly east and west of the Capitol building, and also the flow of the hydrant in front of the arched entrance to the basement of the west front; and from it is supplied all the drinking-water used in the Capitol. If the use of this water is to be continued, so much of the land on which the spring is situated as belongs to the United States should be properly secured by a substantial fence.

METROPOLITAN POLICE.

The board of police for this District, constituted by an act approved August 6, 1861, employed during the last fiscal year, as a permanent force, one superintendent, six detectives, ten sergeants, and one hundred and fifty patrolmen.

The detectives made seven hundred and seventeen arrests. Seven hundred and seven robberies were reported at the detective office. Property to the value of one hundred and seventy thousand six hundred and fifty-nine dollars and nine cents (\$170,659 09) was reported as stolen; of which one hundred and twenty-two thousand eight hundred dollars and six cents (\$122,800 06) was recovered by the officers. Property valued at six thousand eight hundred and ninety-four dollars and twenty-two cents (\$6,894 22) was turned over to the property clerk, while the value of that delivered to claimants was one hundred and fifteen thousand nine hundred and five dollars and eighty-four cents, (\$115,905 84,) and that taken from prisoners and returned to them, four thousand nine hundred and forty-two dollars and fifteen cents, (\$4,942 15.) These results indicate but a portion of the actual work performed. The services of detectives are often of great value in the prevention of crime by known offenders, who, on their arrival, are placed under a strict surveillance, or are taken into custody, before they have an opportunity to accomplish their evil designs.

The members of the police constituting the sanitary company have been efficiently employed in the abatement of nuisances, and in the discharge of other duties specially assigned to them.

The whole number of arrests during the year was twenty-six thousand four hundred and seventy-eight. Of the parties arrested, eighteen thousand five hundred and sixty-seven were charged with offences against the person, and the remainder with offences against property. The following disposition was made of them, so far as the cases are reported: One thousand three hundred and seventy-seven committed to jail; seven hundred and six discharged on bail; one thousand four hundred and fifty-two turned over to the military authorities; seven thousand nine hundred and eighty-four dismissed; one thousand nine hundred and thirty-two committed to the workhouse, and eight hundred and twenty-eight released on security to keep the peace. Fines were imposed in eleven thousand four hundred and eighty-seven cases, amounting to sixty-one thousand nine hundred and forty-three dollars and ninety-two cents, (\$61,943 92,) and in five hundred and thirty-one cases light punishments were inflicted. No report was received in one hundred and thirty-one cases. Two thousand three hundred and twenty-one destitute persons were furnished with lodging, one hundred and fourteen lost children restored to their parents, and one hundred and fifty-four sick or disabled persons assisted or taken to the hospital. The number of arrests during the year exceeds by three thousand those made during any previous year; and the increase in the amount of fines imposed is nearly one hundred per centum. The actual expense to the cities of Washington and Georgetown, and to Washington county, of the present police system is about forty-five thousand dollars. For further details I refer to the report of the board.

The utility of the police telegraph has been fully demonstrated during the past year. By its agency a large force can be speedily concentrated at any given point where an emergency requires its presence. Seven thousand eight hundred and thirty-three messages have been transmitted through the central office, and a large amount of correspondence conducted between the precinct stations. An appropriation sufficient to discharge the cost of its construction is respectfully recommended to Congress.

The force has been maintained, as far as practicable, at the maximum authorized by Congress; but it is believed to be unequal to the public necessities. Since its organization the population of the District has nearly doubled, and the increase of crime has been in still greater proportion. The board present facts and arguments which are, in my opinion, conclusive in favor of such an increase as will enable the police force to discharge with vigor and promptitude the duties required of them. It is hoped that Congress will adopt such measures in this regard as will insure within the District the maintenance of public order, the due execution of police regulations, and the adequate protection of the rights of person and property.

JAIL, HOUSE OF REFUGE, AND PENITENTIARY.

It appears from the report of the warden that there were 227 prisoners in the jail of this District on the 1st day of November, embracing persons of each sex and of various ages. Some of them were convicted of minor offences,

punishable by fine and imprisonment; others were committed in default of bail, or were awaiting sentence in the criminal court. The inmates are occasionally more numerous. The building, although designed for one hundred prisoners, does not furnish accommodation for even that limited number, without neglecting the precautions which a due regard to their health and secure custody demands. The crowded state of the building and its very imperfect ventilation have a most injurious influence upon the sanitary condition of its inmates. This evil is enhanced by the want of a hospital department, to which the sick may be transferred from the impure atmosphere of the jail, and receive the benefit of fresh air, and the treatment which their situation imperatively demands. The building is so insecure that constant and vigilant attention, with the aid of a military force detailed by the War Department, is requisite to prevent the escape of prisoners, many of whom are desperate outlaws, charged with the commission of the most aggravated crimes. For want of a workshop connected with the building, such of the inmates as have been convicted of petit misdemeanors are huddled together, without needful employment, a prey to the vices born of idleness. The tedious hours are beguiled by frivolous pastimes, or frittered away in reckless or profane conversation, so that it is to be feared that many, on being discharged, are prepared for a bolder career of crime.

During the past summer the cells have been increased in strength, and such an addition made to their number as the available space would permit. The sewerage and ventilation have been improved, and light introduced. Nevertheless the building remains a reproach to the government, and a nuisance. Humanity and policy alike require that a suitable jail should be erected, and I cannot too earnestly invoke the early and favorable action of Congress on the subject. The propriety of increasing the salary of the warden is also respectfully submitted for consideration.

Congress, by the act approved March 3, 1865, made provision for the confinement of juveniles under the age of sixteen years thereafter convicted, by any court of the United States, of a crime whose penalty is imprisonment. Authority was given to the Secretary of the Interior to contract with the managers of houses of refuge for the imprisonment, subsistence, and proper employment of such convicted offenders. Soon after the passage of this act the department entered into correspondence with the marshals of the United States, and other parties, on the subject. A contract was made with one such institution, and it could admit but an inconsiderable number of convicts, and declined to receive into custody any colored persons.

It was ascertained that an offender could not be received by some of these institutions if the term to which he had been sentenced expired during his minority, and that the regulations provide that he may be discharged at any time upon the order of the directors. The convict is sentenced by the federal court for a specific term, and the act requires that he "shall be confined during the term of sentence." This is incompatible with the exercise of the discretionary authority conferred on nearly all of these institutions by State legislation to discharge him at an earlier period and to bind him by indentures of appren.

ticeship, or to prolong his detention until he gives satisfactory evidence of reformation. Doubts were entertained by the officers in charge of others, whether they were not prohibited by the terms of their organic laws from receiving offenders other than those convicted by the tribunals of the State in which they were located. From the best consideration I have been able to bestow on the subject, I am of opinion that State as well as federal legislation is necessary to give full practical effect to the humane intentions evinced by Congress in the enactment of the law.

The motives which induced the action of Congress appeal with equal force in favor of the erection of a house of refuge in this District. The confinement of the youthful convict in the penitentiary, where he is in communion with inveterate transgressors, has a most corrupting effect upon his modes of thought and principles of action, and, after suffering the penalty which the law imposes upon convicted guilt, he rarely returns to the path of virtue. Beneficent results attest the wisdom and humanity of providing an asylum for such convicts. In many instances they have been led astray by evil parental influences, or left in destitute orphanage, assailed on every side by temptation, and without a friend to encourage them by precept and virtuous example. A large discretion should be given to the managers of such an institution. They should be authorized to detain the offender until he attains his majority; or, should they deem it expedient, provide him, at an earlier period, with a home far removed from his old associations. During his confinement he should be taught a useful trade, habits of industry, the rudiments of an education, and the lessons of morality and religion. Under the benignant influences which would thus surround them, many would doubtless be rescued from the ways of guilt and sorrow, and rendered, in after life, useful members of that society of which they once threatened to become the scourge and opprobrium.

Influenced by these considerations, I have encouraged an incorporated society of benevolent gentlemen to take the preliminary steps for the establishment of such an institution on the aqueduct farm, in this District. It is hoped that Congress may afford them the necessary assistance to secure this result.

The War Department has not yet surrendered the building in this city formerly used as a penitentiary. It is ill adapted to the purposes for which it was employed. This department has heretofore invited the attention of Congress to the propriety of erecting a new building. The subject is again presented for such action as may be deemed expedient.

GOVERNMENT HOSPITAL FOR THE INSANE.

I invite the attention of Congress to the tenth annual report of the Board of Visitors, and the thirteenth annual report of the superintendent of construction, of the government hospital for the insane.

These papers exhibit the condition of the institution during the past fiscal year, and present, in addition to statistical information, many valuable and highly instructive suggestions. The number of patients under treatment at the commencement of the year was three hundred and fifty-one, including one hundred and ninety-one from the army, eighteen from the navy, two from the

Soldiers' Home, and four rebel prisoners. The number admitted during the year was five hundred and fifteen, of whom four hundred and twenty-six were from the army, ten from the navy, seventy-two from civil life, three from the Quartermaster's and Subsistence departments, and four were rebel prisoners. The whole number under treatment during the year was eight hundred and sixty-six, of whom six hundred and forty-five belonged to the military or naval service. One hundred and forty-seven died. There were discharged as recovered, three hundred and forty-eight; as improved, one hundred and one; and as unimproved, nine.

Congress failed at its last session to make the required appropriation for the support of the hospital, and with your approbation I negotiated, for that purpose, a temporary loan. Attention is invited to the subject, as the money was obtained on most favorable terms from the First National Bank, to whose officers assurances were given that Congress would provide for its repayment at an early period of the approaching session.

The hospital was established for the treatment of the insane of this District, as well as of the army, the navy, and the revenue cutter service. It has, from its origin, been conducted in such manner as to merit and receive the uninterrupted confidence and patronage of Congress. Its success and usefulness are due in a great degree to the superintendent, who has been identified with its history, and who brings to its service professional attainments of the highest order, long experience, and unsurpassed fidelity in the discharge of his arduous and delicate duties. He has received the active co-operation of the board of visitors and of his subordinate officers. His salary was originally fixed at its present rate. The propriety of increasing it is presented for the consideration of Congress.

COLUMBIA INSTITUTE FOR THE DEAF AND DUMB.

The Columbia Institution for the Instruction of the Deaf and Dumb has furnished instruction to eighty-five deaf mutes since the first day of July, 1864. Pursuant to the provisions of an act of Congress approved February 23, 1865, the blind pupils, seven in number, were transferred to the Maryland Institution for the Blind. The books, maps, and papers, especially designed for the instruction of such pupils, were delivered to that institution, for the use of the beneficiaries of the United States.

Indigent deaf and dumb persons of "teachable age" properly belonging to this District, and the deaf and dumb children of all persons in the naval or military service of the United States, while such persons are actually in such service, are received into the institution upon the order of the Secretary of the Interior. The annual charge of \$150 for each pupil so received has been paid, as provided by law. In addition to this outlay, appropriations have been made for salaries and contingent expenses, the purchase of grounds, the erection of buildings, the introduction of Potomac water, and other improvements. The directors, in their report, propose to relinquish the per-capita charge for the government pupils, and include the estimated amount thereof in the item for

salaries and contingent expenses, which they desire may be increased to \$20,700. This sum, with the other items embraced in their estimate, will require for the next fiscal year an appropriation of \$71,940. During the current fiscal year the institution has received no aid from Congress, other than the sums paid for the maintenance of the pupils admitted by order of this department, and the board ask that a clause appropriating \$55,445 87 be inserted in the deficiency bill.

Congress, by the act of April 8, 1864, authorized the Columbia Institution to confer degrees in the liberal arts and sciences on pupils of the institution, or others, who, by their proficiency in learning, or other meritorious distinction, may be thereunto entitled. Pursuant to the presumed authority conferred by this act, the board has organized an advanced department, in addition to the primary school where the elementary branches and the mechanic arts have been successfully taught. They designate it as "The National Deaf Mute College." A preparatory or intermediate class has also been formed, with a range of studies more thorough and efficient than in any similar school in this country. It is designed to furnish their own pupils, and the graduates of the State institutions, with an opportunity of attaining the standard of proficiency requisite to an admission into the freshman class of the college.

Five students have entered upon their collegiate course. Eight are in the preparatory class, four of whom are residents of the District of Columbia. Attention is invited to the views of the directors on the subject. They propose to make the course of study in the college the full equivalent of that adopted in other colleges, and, as the number of their classes increases, to add to the number of professors, taking care that the corps of instructors shall come fully up to the average of college faculties, in number, ability, and fitness.

The institution is authorized, by the fifth section of the organic act, to receive and instruct deaf and dumb persons from the States and Territories of the United States, upon such terms as may be agreed upon by themselves, their parents, guardians or trustees, and the proper authorities of the institution. It is proposed to receive and instruct those who desire to enter the advanced classes and prosecute the preliminary studies which will fit them for a collegiate course, but who have been unable to make adequate preparation in consequence of the limited educational advantages in State institutions. It is suggested that cases have arisen, and will, doubtless, continue to present themselves, of worthy deaf mutes unable to pay the usual charges; and the directors conceive that they are authorized to remit, in whole or in part, such charges, as circumstances seem to require. It was obviously not the intention of Congress to provide, at the national expense, for the instruction of this description of persons residing in the different States. The benefits of the institution, gratuitously conferred, are confined to the two classes first mentioned; and no portion of the fund appropriated by Congress for the salaries and incidental expenses should be diverted from its legitimate purposes and applied to the support of pupils belonging to neither of those classes. The expenses of all such, if not properly

chargeable upon the fund furnished by voluntary private contributions, should be defrayed by themselves, or by the State or community to which they belong. The board disclaim the intention of competing or interfering with State institutions; but as the range of instruction in them is confined within narrow limits, an opinion is advanced in the report that "funds should be drawn from the national resources" for the support of an institution which will extend to these unfortunates, facilities for cultivating the higher branches of learning. The appropriations asked for imply a conviction on the part of the directors that this opinion will be sanctioned and made effectual by appropriate legislation. It will be for Congress to determine whether an institution shall be maintained at the national metropolis, where the deaf mutes of the country may enjoy the opportunity of pursuing the classic and scientific studies which enter into the course of collegiate instruction.

The act of February 23, 1865, declares the corporate name of the institution I have serious doubts whether it, or any department thereof, can rightfully assume the name of "The National Deaf Mute College" without authority from Congress.

It affords me pleasure to bear witness to the disinterested zeal with which the directors have labored to render the institution as useful in its practical workings as it is humane and generous in its conception. The vacancies in the board occasioned by the lamented death of Mr. Edes and of Mr. Mitchell have been filled by the appointment of Mr. Chief Justice Chase and Benjamin B. French, Esq.

The board has been fortunate in securing the services of those charged with the academic and domestic departments. They have performed their duties with an intelligence and fidelity worthy of all praise.

COURT-HOUSES.

This department, on repeated occasions, has referred to the limited and precarious accommodations for holding the courts of the southern district of New York. The government had a term of years in the property which those courts continue to occupy, but is liable to be soon dispossessed under the present temporary arrangement, and no other could be made after the expiration of the lease. It appears from the report made by this department to the Senate of the United States on the 6th of December last, that on the first day of January of that year more cases were pending, and more had been instituted within the preceding twelve months, in that than in any other judicial district. The duty of the government to furnish all proper facilities for the prompt transaction of the business of the courts, and the preservation of their archives and records, will not be questioned. The courts at Baltimore, Philadelphia, Boston, Cincinnati, Louisville, New Orleans, and various other points, are now held in buildings belonging to the government, and no just reason exists why this policy should not be extended, and its benefits secured to the judges, officers, and litigating parties at the leading commercial city of the Union. There was a clause in the lease reserving

to the United States the right of purchasing the property, at a stipulated sum, within a specified period, which has since elapsed, and I am not advised whether the proprietors are now willing to dispose of it on the same terms. I recommend that this department be authorized to make, by purchase, permanent arrangements for the federal courts in the city of New York, and that an appropriation be placed under its control for the purpose.

The eastern judicial district of New York was created at the last session of Congress. The department has encountered serious difficulty in its attempts to secure suitable apartments in the city of Brooklyn for the accommodation of the courts. I strongly urge upon Congress the consideration of the propriety of providing for the erection of a suitable building, portions of which may be appropriated to the district and circuit courts and their respective officers, and the remainder to the city post office and other needful public uses.

I am, very respectfully, your obedient servant,

JAS. HARLAN,
Secretary of the Interior.

To the PRESIDENT.

REPORT

OF THE

COMMISSIONER OF THE GENERAL LAND OFFICE.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
October 3, 1865.

SIR: In accordance with the resolution adopted on the 28th of February, 1855, by the Senate of the United States, the following is submitted as an abstract of the accompanying annual report of this date:

1. Introduction, containing a sketch of the early views and legislation in relation to the public land system, indicating the liberality of Congress in making concessions for internal improvements, schools, rail and wagon roads, military services, agricultural and mechanic colleges, with details of cash sales, warrant locations, showing quantity of surveyed and unsurveyed lands.

2. Description of the general base lines and meridians.

3. Condition of surveys in Ohio, Indiana, Illinois, Michigan, Missouri, Arkansas, Mississippi, Alabama, Louisiana, and Florida.

4. Surveys nearly completed in the surveying department of Wisconsin and Iowa.

5. Progress of surveys in Minnesota.

6. In Kansas and Nebraska, immigration increasing and stimulated by the overland roads.

7. Present condition of surveys in Dakota as to Sioux reservation; no contracts made for surveys during the fiscal year ending June 30, 1865, on account of failure in appropriations; under appropriations in 1864 instructions have been issued to surveyor general of Dakota, whose district embraces Montana, to establish the initial point for surveys in the latter Territory.

8. Progress of surveys in Colorado; no recent extensions in Utah, nor have any surveys in Idaho yet been made.

9. New Mexico and Arizona—surveys prevented there on account of Indian hostilities; recent reconnoissance by the surveyor general; modification of existing surveying system in certain instances recommended; Mexican grants in the "Gadsden purchase;" no authority delegated by law to surveyor general to receive and report on claims in the "purchase."

Definitive adjustment of foreign titles recommended, and legislation suggested in regard to past confirmations.

10. Pre-emptions in New Mexico, Arizona, and Colorado; measures prescribed under existing laws; recommendation to relieve Colorado from certain pre-emption restrictions.

11. California and Nevada—Progress of surveys—"Yo Semite valley" and "Mariposa Big Tree grove;" condition of the eastern boundary of California, and also of that part of the Indian reservation at Pyramid lake which falls within the limits of the railway route.

12. Progress of surveys in Oregon; immigration; resources of the State, of mines, soil, and of the forest.

13. Operations in extending the lines of surveys in Washington Territory.

14. Considerations presented in regard to boundary lines; Oregon and Washington; Oregon and California; northern limits of New Mexico; Georgia and Florida.

15. Indian reservations, "in place," treated of; also sales of Indian trust lands; floats; pueblos; Sioux reservation; homestead and pre-emptions therein disallowed.

16. Lands in Stockbridge reserve annexed to Menasha district; legislation for disposal of the tracts thereon belonging to the government.

17. Swamp land; legislation; actions had by the department; further legislation suggested; special agent has been despatched to inquire into allegations against swamp selections; California interest in this respect specially considered.

18. Riparian rights; when ponds or lakes disappear, the course of proceedings indicated.

19. Military bounty lands; legislation recommended in regard to the residuary tracts in the Virginia military district.

20. Measures are presented to give effect to the statutes in regard to the disposal of coal lands and town property in the public domain; Denver City town site act of May 28, 1864, held to be unaffected by the fifth section of the general statute of July 1, 1864.

21. Homestead law; the rights of heirs discussed and determined, and also the timber privileges allowed to such settlers.

22. Adjustment of the Wisconsin five per cent. fund account, and of the Milwaukie and Rock River Canal Company's claim, under joint resolution of July 1, 1864.

23. Harbor and ship canal grant in Michigan; principles settled in regard to the same.

24. Coal oil lands interdicted from entry; timber depredations; the policy observed and beneficent results.

25. Steps taken to suppress timber depredations; success of the measures in this respect.

26. Proceedings in regard to the restoration of the public land machinery in the States of Arkansas, Louisiana, Mississippi, Alabama, and Florida.

27. Existing legislation considered in regard to discontinuance and consolidation of land offices; suggestions as to the propriety of enlarging authority, so as to modify districts, and wholly to discontinue offices when the lands in a State are sold out; new land districts recommended for Arizona, Idaho, Utah, and Montana.

28. Limitations suggested as to time in taking appeals; the rule stated in regard to the question whether mineral or arable is the predominating element.

29. Adjustment of two and three per cent. funds.

30. Fees of registers and receivers under existing laws, and the fees required to be charged by the General Land Office for furnishing exemplifications; satisfactory settlement of accounts reported.

31. Historical glimpse at the American isthmus as an impediment to trade with.

32. An account of the rise and progress of the railway system under congressional legislation.

33. Definitive settlement of the question as to the minimum rate of the "even" or United States reserved alternate sections along the line of the Pacific railroad.

34. Impolicy of any departure from the system of granting lands "in place," in aid of the construction of railroads.

35. Considerations in regard to the gold and silver regions of the public domain.

36. Tabular statements and exhibits in relation to land operations.

All which is respectfully submitted.

J. M. EDMUNDS,
Commissioner.

Hon. JAMES HARLAN,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
October 3, 1865.

SIR: The attention of our statesmen in the earliest age of the republic was directed to the disposal of the public lands, in order to make the same available as a source of national credit, revenue, and strength. The political and commercial agent sent to France by the revolutionary Congress communicated his views in this respect in a despatch as early as December, 1776, to the organ of that Congress—the committee of secret correspondence. He predicted the rush of emigration from Europe upon the establishment of American nationality, the rise in value of settled lands, the demand for new and uncultivated territory, upon which a certain fund, he reported, might then be fixed, tracing “the river Ohio from its junction to its head, thence north to Lake Erie on the south and west of the lake to Fort Detroit, which is in the latitude of Boston, thence a west course to the Mississippi;” and returning to the place of departure, he marked out “these three lines of near one thousand miles each” as including an immense territory in a fine climate, “then scarcely inhabited by any European,” and invited attention to that region “as a source amply adequate under proper regulations for defraying the whole expense of the war, and the sums necessary to be given to the Indians in purchase of the native right.”

At an early period of our national existence the public lands were the subject of serious political controversies. The charters of certain States extended indefinitely westward, instances having existed of their crossing each other and throwing the same territory within different State limits. Such disturbing causes retarded the organization of an effective system for opening the western territory to settlement and sale. These difficulties, however, were put to rest by several acts of cession, New York taking the lead in 1781, Virginia in 1784 ceding the great northwestern territory, Massachusetts relinquishing her claim in 1785, Connecticut in 1786, South and North Carolina and Georgia having subsequently made cessions which constitute mainly the present States of Tennessee, Mississippi, and Alabama. After the definitive treaty of peace, in 1783, closing the war of the Revolution, and before the adoption of the Constitution of the United States, Congress, by an act of the 20th May, 1785, began the work of laying the foundation of the land system by “an ordinance for ascertaining the mode of disposing of lands in the western territory,” in which the principle was established of reserving “the lot number sixteen of every township for the maintenance of public schools within the said township,” in recent years duplicated in remote organizations, and before the close of the last century initiated the pre-emption system. These great principles were designed to operate upon the public domain within our then political limits, but in the march of empire, by the expansion of our territory from ocean to ocean, they have been modified and enlarged to meet the wants and interests of the multitudes now spreading over our great national land estate.

By the acquisition of new territories, beginning with the cession by the French republic in 1803 of the ancient province of Louisiana, and ending with the Gads-

den cession by treaty with Mexico in 1853, we have assumed obligations under treaties to recognize and confirm inceptive and mature titles which originated under former governments. In the progress of land legislation, the Congress of the United States, under stipulations for the segregation of foreign titles from the public lands, have required by law that the peculiarities of foreign systems, to the extent of such titles, shall be faithfully observed in their survey and confirmation. To earlier legislation have been added numerous enactments providing for cash sales at a low rate per acre, carefully guarding at every step the interest of the pioneer settler, not only by pre-emption, but in conferring homesteads upon the condition of five continuous years of actual residence; thus enriching the settler and adding to the wealth of the nation. But the liberality of Congress has gone further. By munificent acts of legislation there have been conceded, for works of internal improvements and schools, over one hundred and thirty million eight hundred and seventy-five thousand acres; upwards of one hundred and twenty-five million three hundred thousand acres, by estimate, have been granted in aid of the construction of rail and wagon roads; about sixty-eight million, including land scrip, have been awarded for military services, reaching back to the Revolution; and over forty-five million three hundred and nineteen thousand acres have been conceded to States as swamp lands; whilst the agricultural and mechanic college grant in 1862 conceded for such institutions the quantity, including the late insurgent States, of nine million three hundred and thirty thousand acres. The numerous laws regulating the disposal of the public lands, beginning in the early history of this government, and accumulating at every successive congressional session, have now grown into an extended system, not merely of statutory enactments, but of departmental and judicial decisions.

The recent domestic convulsions have necessarily checked during the last four years public land operations.

The reign of peace now happily and, as believed, permanently established, what may we not anticipate in accumulated and accumulating wealth and power from the expansion of the American people over the immense regions constituting the public domain.

In administering the system during the fiscal year ending the 30th of June, 1865, and the quarter which terminated on the 30th ultimo, the following are the results :

For the year ending June 30, 1865, there were sold for cash—

	<i>Acres.</i>	<i>Cash received.</i>
For quarter ending September 3, 1865.....	557, 212.53	\$748, 427 25
Part estimated	72, 320.32	95, 085 68
	<hr/> 629, 532.85	<hr/> 843, 512 93
To which add cash paid into the treasury on account of 8,920 entries made under the homestead act May 20, 1862.....	.....	89, 200 00
Commissions on homestead entries.....	.....	34, 250 08
On account of 2,627 entries made under the homestead act in quarter ending September 30, 1865.....	.....	26, 270 00
Commissions on homestead for quarter.....	.....	10, 102 82
Fees for bounty land locations to June 30, 1865.....	.....	8, 410 33
Fees for bounty land locations to September 30, 1865, part estimated.....	.....	1, 913 00
Commissions on agricultural scrip to June 30, 1865 .....	.....	4, 431 50

Commissions on agricultural scrip to September 30, 1865.....	646 02
Fees on account of pre-emption and donation claims to June 30, 1865.....	15, 412 00
Fees on account of pre-emption and donation claims to September 30, 1865.....	4, 252 00
Bounty land warrants :	
There were located during the year ending June 30, 1865.....	348, 660.00
For quarter ending September 30, 1865, (September estimated)	65, 000.00
Swamp lands :	
There were approved to the States for the year ending June 30, 1865	571, 429.24
For quarter ending September 30, 1865.....	322, 062.71
Railroads :	
There were approved to the States to June 30, 1865.....	607, 415.39
For quarter ending September 30, 1865.....	45, 990.54
Homestead acts of May 20, 1862, and March 21, 1864 :	
There were entered during the year ending June 30, 1865.....	1, 160, 532.92
For quarter ending September 30, 1865.....	359, 697.32
Agricultural and mechanic college grant of 1862 :	
There were selected, under agricultural college grant, for the year ending June 30, 1865 ..	808, 358.11
Located with agricultural scrip to June 30, 1865,	460, 130.27
For quarter ending September 30, 1865.....	15, 520.24
<hr/>	
Total acres disposed of from June 30, 1864, to September 30, 1865.....	5, 394, 329.59
<hr/>	
Total cash paid into the treasury.....	\$1, 038, 400 78
<hr/>	

Surveyed land :

	<i>Acres.</i>
The aggregate quantity of surveyed land offered and unoffered, and undisposed of on the 30th September, 1865, was.....	132, 285, 035
Consisting of offered lands, embracing 53, 922 acres of Winnebago trust lands	79, 274, 577
Unoffered.....	53, 010, 458
<hr/>	

Having thus shown in outline certain features of land legislation from the beginning of our system, and some of the leading grants by Congress, with details of sales, and other disposals of the public lands during the last fiscal year and the succeeding quarter, it is now proposed to refer to the progress which has been made in preparing our territory for sale, and conveyance in fee-simple, in the extension of the lines of the public surveys.

By the establishment of base lines corresponding with latitudes and of principal meridians with longitudes, the public domain is divided into townships of six miles square, or 23,040 acres, subdivided in their turn into 36 square miles

or sections, containing 640 acres, and these into quarter sections or 160 acres, half-quarter or 80 acres, and quarter-quarter sections or 40 acres.

The initial point of the surveys or the intersection of the base with the principal meridian is established in a region of the country most needed for settlers, and likely to produce a revenue.

The principal base line serves to count the survey of townships north and south thereof, and the principal meridian to count the ranges of townships either east or west.

Thus far the surveying system which has been extended from the State of Ohio to the Pacific ocean, with the exception of interior territories recently organized, has brought into requisition six principal meridians, with corresponding principal bases, and several independent meridians with similar bases as follows :

The first principal meridian divides Ohio from Indiana, and runs north on the $84^{\circ} 51'$ longitude west of Greenwich, governing the surveys in the State of Ohio.

The second principal meridian, starting from the mouth of Little Blue river, in Indiana, governs the surveys in that State, and partly in Illinois.

The third principal meridian begins at the mouth of the Ohio river, and terminates on the northern boundary of Illinois, governing the surveys lying east therefrom, and west to the Illinois river.

The fourth principal meridian commences in the centre of the channel at the mouth of the Illinois river, in latitude $38^{\circ} 58' 12''$ north, and longitude $90^{\circ} 29' 56''$ west of Greenwich, and governs the surveys in Illinois situated west of the Illinois river, and of the third principal meridian north of the river and east of the Mississippi. It also extends due north through Wisconsin, and continues through the northeastern part of Minnesota, governing the surveys in Wisconsin and Minnesota lying east of the Mississippi river.

The fifth principal meridian commences at the mouth of the Arkansas river, in the State of Arkansas, and passing due north through Missouri and Iowa, terminates in township 91, north of the base line, which runs due west from the mouth of St. Francis, in Arkansas. This principal meridian governs the surveys in Arkansas, Missouri, Iowa, Minnesota west of the Mississippi river, and Dakota Territory east of the Missouri river.

The sixth principal meridian, the initial point of the intersection with the principal base line being coincident with the fortieth parallel of north latitude, is near the $92^{\circ} 13'$ of longitude west from Greenwich. This principal meridian governs the surveys in Kansas, Nebraska, Colorado, and that part of Dakota Territory lying west of the Missouri river.

Besides the foregoing six principal meridians there have been established independent meridians and bases for the surveys in the following States and Territories :

The Michigan principal meridian commences on the north boundary of Ohio, 22 miles east of the first principal meridian, and runs north, corresponding with longitude $84^{\circ} 19' 9''$ west of Greenwich, and terminates at Sault St. Marie, governing the surveys in the State of Michigan.

The Tallahassee principal meridian intersects the principal base at the city of Tallahassee, and governs the surveys in Florida.

The St. Stephen's meridian, in Alabama, intersects the principal base line on the 31° north latitude, and Huntsville basis meridian starts from the principal base or the northern boundary of the State, and governs the surveys in the State of Alabama, the former governing also the surveys in Mississippi lying east of Pearl river and south of township 10 north.

The Choctaw meridian and Washington meridian govern the surveys in Mississippi; the base line of the latter is the 31° north latitude, and that of the former sixty miles north of it.

In Louisiana there are two principal meridians, with a common basis parallel, passing near the mouth of the Red river, from which surveys have been made; one governing the surveys east of the Mississippi river, and the other west.

The initial point of the intersection of the base line with the principal meridian in New Mexico is ten miles below the mouth of the Puerco river, being a hill of two hundred feet high, on the Rio Grande del Norte; these principal lines govern the surveys in New Mexico.

The surveys in California are controlled by three different meridians and as many base lines. The San Bernardino meridian intersects its base line in latitude six miles north of Los Angeles, the initial point being on the high peak of the San Bernardino mountain. This meridian is on the $116^{\circ} 55'$ longitude west from Greenwich, and controls the survey in the southern part of California.

The Mount Diablo meridian intersects its base line in latitude six miles north of that of the city of San Francisco, distant from the ocean 38 miles, the intersection being on the highest peak of Mount Diablo, about 3,600 feet high. This meridian corresponds with the $123^{\circ} 53'$ of longitude west from Greenwich, and governs the surveys north and south of the initial point in California, and also in Nevada.

The Humboldt meridian intersects its base line in latitude of about $40^{\circ} 24'$ north, on the peak of Mount Pierce, 5,000 feet above the level of the Pacific ocean—this initial point being commemorated by an iron monument. These principal lines govern the surveys in the northwestern portion of California situated west of the coast range of mountains.

The Willamette meridian and base line govern the surveys in Oregon and Washington Territory, the initial monument being at the point of the intersection of $45^{\circ} 31' 13''$ of north latitude with the $122^{\circ} 30' 26''$ of longitude west from Greenwich.

The Salt Lake meridian starts from the corner of the Temple block in the Salt Lake City, where it is intersected by the principal base line, the point of intersection being commemorated by a monument; these standard lines, running north and south, east and west, govern the surveys in Utah.

The surveying machinery has accomplished its work in Ohio, Indiana, Illinois, Michigan, Missouri, Arkansas, Mississippi, and Alabama. In the State of Louisiana the survey of the New Orleans township and some subdivisions remain to be executed. In Florida the surveys have been extended to Lake Okechobee, leaving unsurveyed the portion of the peninsula south of that lake, which is a swampy and overflowed region.

Should it be deemed proper to restore the surveying districts of Louisiana and Florida for the time-being, it would be necessary to make appropriations for salary of both officers of surveyor general, and existing appropriations, to a limited amount, might be set apart and applied to meet any surveying exigency in either of the States; or, in case such salary appropriation should not at this time be made, the power might be exercised which is delegated to the Commissioner of the General Land Office by the act of January 22, 1853, of acting ex-officio surveyor general, where a district is discontinued.

It is now proposed to present a view of the progress which has been made in other States, beginning with the surveying districts of

WISCONSIN AND IOWA.

The surveying operations in the State of Wisconsin have been advanced during the fiscal year ending June 30, 1865, by the application for the completion of surveys in Wisconsin of four-fifths of the fifty thousand dollar appropriation, per act of July 2, 1864, for surveys of public lands.

Contracts to the full extent of the means provided have been made, and returns of the surveys have been received, amounting to 2,608 lineal miles,

embracing 721,826 acres. In the lands thus surveyed are several hundred lakes, from a few acres in size to several square miles in extent. Yellow and white pine abounds in this region, which is interspersed with marshes, swamps, and shallow lakes, the latter filled with wild rice. The country, however, furnishes great facilities for floating timber, through numerous natural channels, to the Wisconsin river.

The unfinished field-work, it is reported, will be completed before the close of the present surveying season, and no further means will be required, the existing funds being sufficient for closing the surveys in Wisconsin.

For the completion of the office-work for the surveys already made and those yet to be executed, and in order to have the archives in readiness to be transferred to the authorities of Iowa and Wisconsin, respectively, under the provisions of the acts of Congress approved June 12, 1840, and January 22, 1853, an estimate is submitted for the compensation of the surveyor general and two clerks in his office, for the fiscal year ending June 30, 1867, when it is expected the office will be closed and discontinued, the field-work in Iowa having been completed.

MINNESOTA.

The progress of surveys in Minnesota during the fiscal year ending June 30, 1865, has been co-extensive with the sum of \$14,000 appropriated for the purpose. The field operations, as far as returned, are equal to 1,270 lineal miles, comprising 419,208 acres, including 172,208 acres of the Sioux or Dakota Indian reservations on the south side of the Minnesota river, the survey having been ordered by the second section of the act approved March 3, 1863. These lands are to be appraised and sold for the benefit of the Indians. As allegations have been made against the work of surveyors within the Sioux reservations, and to the effect that the character of the surveys was not in conformity with the surveying laws and instructions governing the survey of the public lands, an examination in the field was ordered by the department on the 25th of August last to elicit the true condition of the surveys which, under the decision of the department, are to be paid for out of the proceeds of the sales of the Indian lands.

Attention has been attracted to the region on the headwaters of Cloquet river, one of the tributaries of St. Louis river, about thirty-five miles north of Fond du Lac, as possessing valuable minerals and where coal has been discovered. The surveying department recommends in that region of the State that where the standard lines are in progress of extension, subdivisional work may also be contracted for during the next fiscal year. To meet the expenses of the proposed work, and also of surveys on the Lower Embarras and East Savannah rivers, affluents of the St. Louis river, on the Mississippi river, in the vicinity of Sandy lake, and on the upper waters of the Minnesota river, an estimate is submitted.

By the first article of the treaty of May 7, 1864, with the Chippewas of the Mississippi, there are ceded, with exceptions, certain reservations made by treaty of the 22d of February, 1855. Accordingly, pursuant to the treaty of 1864, and of the department's directions of March 9, 1865, instructions have been given to the surveyor general for the subdivision of lands embraced within the former Indian reservations of Gull lake and Mille lac, in Minnesota, in order to enable the grantees to secure by legal subdivisions their respective grants. Contracts have been entered into to the extent of means placed at the surveyor general's disposal under the appropriation of July 2, 1864, and the greater part of the work has been executed, the residue to be completed at an early period.

KANSAS AND NEBRASKA.

Under the appropriation of \$50,000, by act of Congress of July 2, 1864, for the survey of the public lands in Kansas and Nebraska, contracts were made to the extent of the means provided. Only a small part, however, of the work was executed during the last fiscal year on account of Indian hostilities. In Kansas the field-work was equal to 883 lineal miles, embracing 183,661 acres. In Nebraska, 3,445 lineal miles, including 1,262,784 acres.

The remaining eight contracts not yet completed, which are an aggregate liability of about \$40,000, are in progress, and will be finished before winter.

It is reported that emigration in that surveying district exceeds that of any year since 1857, and that actual settlements are being rapidly made in several localities. The routes recently opened for the overland mail and express company along the Smoky Hill river, together with the Pacific railroad—great thoroughfares of trade—are stimulating emigration, and it is expected will cover, to a very considerable extent, the public lands already surveyed.

With the view to meet the anticipated demand for the public lands by settlers under the pre-emption and homestead laws, as well as the requirements of the Pacific railroad, the surveyor general submits enlarged estimates for the surveying service in the following localities: On Arkansas river, Smoky Hill fork, Saline and Solomon forks of Kansas river, in Kansas, and on Republican fork of the Kansas river, Platte and Wood rivers, and Loup fork of the Platte river, in Nebraska; the proposed surveys to consist of standard township and sub-divisional lines.

DAKOTA AND MONTANA TERRITORIES.

In Dakota the surveys have been established to the extent of the means appropriated for the fiscal year ending June 30, 1865. The field-work is equal to 1,482 miles of lineal measure, comprising 313,251 acres, situated in the valley of Big Sioux river, and eastward therefrom to the western boundary of the State of Minnesota, between 43° 30' and 44° of north latitude.

The character of the lands surveyed and to be surveyed in the eastern portion of the Territory is represented to be adapted to agricultural pursuits, particularly that of stock-raising. The advantages for the growth of wool have already been realized there—the weather being mild, with an absence of rain during the winter months.

The contract entered into between the surveyor general and deputy for the survey of that portion of the Sioux Indian reservation on the south side of the Minnesota river which lies in Dakota Territory, southwest of Big Stone lake, it is expected, will be completed during the present season.

The survey of the reservation authorized by the second section of the act of Congress approved March 3, 1863, is to be at the expense of the Indians, payable to the deputy surveyor out of the proceeds of sales of the lands surveyed.

No contracts have been made for the extension of ordinary public surveys in Dakota during the fiscal year ending June 30, 1866, on account of the failure of the surveying appropriations at the last session of Congress.

Under an appropriation of ten thousand dollars, by act of 2d July, 1864, initial surveys have been ordered in the Territory of Montana.

Instructions have been issued to the surveyor general at Dakota, whose department embraces Montana, to establish the initial point for the surveys in the latter distant Territory at "Beaver Head Rock," a remarkable landmark in the Great Horseshoe Basin of the Rocky mountains, drained by the Jefferson, Madison, and Gallatin forks of the Missouri river, situated between the Bannock and Virginia Cities.

From this point of the intersection of the principal base with the principal meridian governing the surveys in Montana Territory, standard parallel, township and section lines will be extended to embrace settlements and lands adapted to agricultural purposes.

COLORADO, UTAH, AND IDAHO TERRITORIES.

Surveys in Colorado during the fiscal year ending June 30, 1865, have been advanced to the extent of the appropriation of \$20,000. Returns of field operations show surveys executed equal to 1,746 lineal miles, embracing 605,281 acres. The residue of the field service, it is expected, will be completed before the ensuing winter.

The estimates submitted for surveys during the fiscal year ending June 30, 1867, are designed for the extension of surveys to such lands as are already occupied, or are offering inducements for settlement as soon as surveyed. The proposed region of operations is situated east and west of the Rocky mountains, principally on the south fork of the Platte river, and its numerous tributaries lying east of the existing surveys, and on the upper waters of Rio Grande del Norte, south fork of Platte, in the South Park, and in the Middle Park, near the sources of sundry tributaries of Grand river, these localities embracing rich agricultural lands, though requiring irrigation. The surveys proposed on the west side of the Rocky mountains are based upon the fact that the Overland Stage Company are building a wagon road from Provo, in Utah, to Denver City, Colorado, shortening the overland route by one hundred miles, the wagon road passing through the finest agricultural region of Colorado, destined to be settled so soon as the road is opened.

In Utah, a part of the surveying district of Colorado, no surveys of the public lands have been carried on during the last year, and none since the year 1857. In that year the office of the surveyor general was closed in consequence of Mormon difficulties.

Under the provisions of the act of Congress approved May 5, 1864, entitled "An act to vacate and sell the present Indian reservations in Utah Territory," contract has been entered into for the survey and subdivision into forty-acre tracts of the following reservations, viz: the Spanish Fork, San Pete, Corn Creek, and Deep Creek, yet no returns of surveys have been received from the surveyor general.

In Idaho the surveying machinery has not yet been initiated, owing to the great distance from the office of the surveyor general at Denver, and the want of necessary information as to the precise localities requiring surveys within the Territory. No estimate is submitted for field-work, there being sufficient means already appropriated for that purpose, and which can be used at the proper time for the commencement of the public surveys.

NEW MEXICO AND ARIZONA.

Continued Indian hostilities in New Mexico and Arizona have prevented surveys of the public lands therein during the fiscal year ending June 30, 1865. In order to determine what parts of Arizona require earliest surveying operations, the surveyor general was authorized personally to examine this distant portion of his surveying district. Accordingly, on the 7th day of January last he left Santa Fé, and passing through Las Cruces, Fort Cummings, Fort West, on the upper Gila river; Fort Bowie, on Santo Domingo river; Fort Goodwin, on Gila river, to Tubac, on Santa Cruz river; thence down the valley, on his way to Prescott, crossing Rio Gila at the distance of twenty miles above the confluence of Rio Salado with Rio Gila; thence to Hasiampa river, in places dried up

so that the bed of the river was passable in travelling; at a distance of fifty-four miles from the crossing of the Salado river, he reached the mining town of Wickenburg, containing from two to three hundred persons, situated on the right bank of the river; thence through Weaver to Prescott, the capital of the Territory, one mile above Fort Whipple and the upper waters of Granite creek, consisting of about sixty houses. On returning from Arizona, the surveyor general struck the valley of the Rio Colorado Chiquito, in the direction of the San Francisco mountains; thence up the valley of Rio Puerco of the west, and Fort Wingate, on the Rio San José, to the Rio Grande, reaching Santa Fé May 19, 1865, the journey occupying nearly five months and a half. The mineral resources of Arizona are reported to be very extensive, requiring only labor, capital, and machinery to develop the mines.

The valleys of the Gila, Salado, San Francisco, and Colorado rivers, with their tributary streams, would produce, under proper culture, sufficient food for more than two millions of people.

The surveyor general, in submitting estimates for Arizona for the fiscal year ending June 30, 1867, suggests that the initial point of surveys should be the intersection of the principal base with the principal meridian at a conical hill 150 feet in height on the south side of the Gila, opposite its confluence with the Salado river. Upon the pinnacle of this eminence the Mexican boundary commission in 1851 established a corner to mark the mouth of Salt river, its geographical position being in latitude $33^{\circ} 22' 57''$, longitude $112^{\circ} 15' 46''$. The selection of the initial point being central, the settled localities of the Territory are susceptible of being reached by standard or correction parallels, which may be established north and south of the principal base, and east and west of the principal meridian, governing the surveys in Arizona.

The surveying operations, therefore, are proposed in Arizona during the next fiscal year, payable out of the appropriations already made, which, without additional estimates, are deemed adequate for the purpose.

The surveyor general renews the recommendation, and urges the necessity for departure from the rectangular system of surveys in mountainous districts, and especially along streams with narrow valleys which have been settled and cultivated for many years, particularly where the tracts have conventional limits fronting on streams and extending back to the mountains. To enable settlers in this situation to acquire titles, such departure from the rectangular system is suggested in order that authority of law to that end may be delegated by Congress.

In the surveyor general's tour of examination he was occupied while at Las Cruces in looking to the extent and validity of claims to land under grants from the republic of Mexico in the Mesilla valley, below Fort Craig, on the right bank of Rio Grande.

It is represented that numerous grants were made by Ramon Ortiz, commissioner of the state of Chihuahua, and by Guadalupe Miranda, commissioner general, for the transportation of Mexican families to the national territory subsequent to the treaty of 1848 at Guadalupe Hidalgo, and prior to that of 1853 at the city of Mexico.

Under the treaty of 1848, the boundary between the two republics, as determined by the joint commissioners, Bartlett and Conde, April 20, 1851, was the point of intersection at $32^{\circ} 22'$ of north latitude with the Rio Grande, about thirty-four miles north of the present boundary, as fixed in latitude $31^{\circ} 47'$ north, under the treaty of 1853.

The office of the surveyor general is destitute of data in regard to Mexican titles granted between the dates of the treaties of 1848 and 1853 in the Mesilla region; and even if he possessed the same, there is no authority delegated by existing laws to that officer for giving them such a status as would enable him, in extending the lines of the public surveys in that valley, to segregate such unconfirmed claims from the public domain.

SPANISH AND MEXICAN TITLES IN NEW MEXICO AND ARIZONA.

By the 8th section of the act of Congress approved July 22, 1854, authority is given to the surveyor general, under direction of the Secretary of the Interior, "to ascertain the origin, nature, character and extent of all claims to lands under the laws, usages and customs of Spain and Mexico," and for this purpose he has the power to "issue notices, summon witnesses, administer oaths," and make report on all such claims before the cession, by the treaty of 1848, showing his judgment of the validity or invalidity of the titles brought before him under this law; Congress retaining the power to award final confirmation.

Under this act the surveyor general's function for receiving and reporting on Mexican titles extends only to so much of territory as was ceded to the United States by the treaty of 1848, and not embracing the tract included within what is known as the Gadsden treaty of 1853.

It is a matter of grave importance, both to New Mexico and Arizona, as well as to the general government, that efficient steps should be ordered by law for the summary and early adjustment of Spanish and Mexican titles which may be valid under our treaties of 1848 and 1853 with that republic.

If it should be deemed the preferable course for the surveyor general to act upon these grants, let his jurisdiction be co-extensive with the cession under both treaties; let authority be given to him for confirmation to a limited extent, making such confirmation final when approved either intact or according to departmental judgment; let the statute limit the period within which all foreign titles shall be filed in surveyor general's office, barring in law and equity every claim not filed within a period to be fixed in the law.

The enactment should authorize claims destitute of merit in the judgment of the Executive to be restored to the mass of the public lands, and where claims exceed the limitation that the department may have the power to confirm. Such claims should be reported for the final determination of Congress.

If, however, it should be deemed the better course, as seems to be the judgment of well-informed persons, to commit the adjudications of these foreign titles to the courts, we have the precedents established for this mode in legislation in regard to claims in Missouri, Arkansas, Louisiana, Florida, Mississippi, Alabama, and California.

Should the judiciary be charged with this duty, let the law giving authority for the purpose limit the time for filing and for final prosecution, stipulating in all cases that the title with its exact boundaries and area shall be set forth in the petition to the court, and that the judicial decree shall not only determine the validity of title, but also questions as to location and limits.

In respect to those cases heretofore confirmed, a period should be fixed by law within which confirmees shall have surveys made at their own expense, but, under the direction of the United States surveyor general, subject to the controlling power of the department; and where such claims are of loose and undefined extent, a limitation as to quantity should be established by law.

In determining rights of individuals under past confirmation of Spanish and Mexican grants the General Land Office has decided that the United States, as the successor of Spain and Mexico, have the right of retention and exclusion from claims of this class of such sites therein as may be indispensable for forts or other public uses, and this right will be insisted upon and enforced unless Congress shall relinquish it or otherwise order.

PRE-EMPTIONS IN NEW MEXICO, ARIZONA, AND COLORADO.

By the seventh section of the act of Congress approved 22d July, 1854, the pre-emption privilege was extended to lands, whether settled upon before or

after survey, within the region of country comprehended by the present Territories of New Mexico and Arizona. As Arizona has not yet been organized into a "land district," the authority to receive pre-emption declarations in virtue of the acts of 22d July, 1854, and of 2d July, 1864, is vested in the surveyor general at Santa Fé, and instructions on 9th June last were despatched to that office accordingly to receive these declarations when not embracing the precious metals, or lands reserved for military or other public uses.

In virtue of the requirements of the seventh section of the act of 30th May, 1862, pre-emption declarations, where settlements are made before survey, must be filed within three months from the date of the preparation and deposit in surveyor general's office of the approved plat of the township embracing the pre-emption; but where the settlement was made after survey, within three months from date of settlement. In the act of Congress approved June 2, 1862, establishing a land office in Colorado, and for other purposes, it is declared "that when unsurveyed lands are claimed by pre-emption, notice of the specific tracts claimed shall be filed within six months after the survey has been made in the field, and on failure to file such notice or to pay for the tract claimed within twelve months from the filing of such notice, the parties claiming such lands shall forfeit all right thereto."

These terms are much more restricted and are variant from the general pre-emption system as applicable to the new land States and Territories, and there being no just grounds for any discrimination as against Colorado, the recommendation is renewed for the repeal of such restriction, and that at the same time, by further legislation, the provisions of the pre-emption acts of 1841 and 1843, and of the seventh section of the act of 30th May, 1862, to reduce the expenses of survey and sale of the public lands, be declared applicable to that Territory.

CALIFORNIA AND NEVADA.

Surveys in California during the fiscal year ending June 30, 1865, have been prosecuted under the appropriation of July 2, 1864; and at the expense of applicants for the surveys under the tenth section of the act of Congress approved May 30, 1862, over thirty contracts were entered into by the surveyor general. The returns of the field-work amount to 780 lineal miles, embracing 246,268 acres of public lands, and 38,700 acres within the following special grants made by Congress to the State of California by act of June 30, 1864, to wit: the Yosemite valley in the Granite Peak of the Sierra Nevada mountains, at the headwaters of the Merced river, containing per actual survey $36,111\frac{1}{10}$ acres, and the Mariposa Big Tree grove, covering $2,589\frac{7}{10}$ acres. The field operations in California are advanced mainly in the direction of the Pacific railroad and in the Honey Lake valley. Contracts have been made for the survey of townships adjoining the headwaters of the Truckee river and the eastern boundary of the State. That boundary has not been surveyed and marked pursuant to the act of Congress approved May 26, 1860, for the reasons assigned in annual report of November 30, 1861, pages 35 and 36, to which reference is made for information on the subject of the extent of the work accomplished under the appropriation of \$55,000 per act of June 25, 1860.

By the act of Congress of March 2, 1861, organizing the Territory of Nevada, provision was made for taking a strip from the eastern part of California and adding the same to Nevada, provided California should assent. The legislature of that State, however, has refused to accede to the proposed modification, assigning as the reason that the State constitution is inhibitory in that respect.

No further steps have been ordered by the department in the survey of the eastern boundary of California under the appropriation of \$55,000 hereinbefore mentioned, for the reason the funds were absorbed by the commissioner ap-

pointed by the President under the act of Congress approved May 26, 1860, and who acted not under the direction of the General Land Office, but in 1860, and until August, 1861, was under the superintendence of the department proper. On the 15th day of May, 1861, the appointment of commissioner Maury terminated. The astronomer who continued field astronomical work at Lake Bigler was in his turn relieved from further duties and reported to the Secretary of the Interior, under date of August 30, 1861, that the field astronomical duty was completed, and it only remained, after the computations were made, to run the line, which any surveyor could accomplish. Finally, on the 11th September, 1861, the astronomer, J. C. Ives, pursuant to instructions from the department proper, turned over to the United States surveyor general's office the field-notes, maps, reports, and computations of the astronomical observations which had been taken.

The prosecution of the survey of the California eastern boundary was thus interrupted after determining and establishing the intersection of the 35° of north latitude with the Colorado river and the 39th of north latitude with the 120° of longitude west from Greenwich, and nothing has since been done in the matter. In the mean time a joint commission on the part of the State of California under legislative authority in 1863, and on the part of the Territory of Nevada, proceeded to the survey and demarkation of the boundary from the initial point in Lake Bigler to the northern limits of the State of California by actual admeasurement and by daily observations for latitude, terminating the line a few miles to the north of Crane lake, on the forty-second parallel of north latitude, and perpetuating the intersection of that parallel with the 120° of longitude west from Greenwich by a stone monument. From the report of the Nevada commissioner, made to the legislature in 1863, it further appears that the commission continued the survey of the boundary southeasterly from Bigler lake for 102 miles, reaching the 38° north latitude within one mile. This part of the line is not regarded as correct, the same not having been prolonged to the monument established on the Colorado river, and will not be held correct until the error of the intersection with the initial point shall have been corrected back to Lake Bigler.

Attention is thus drawn to this subject, it being important that the line should be definitely established under legislative sanction, in order that the public surveys, both on the California and Nevada side, may be permanently closed on a duly acknowledged boundary. Nevada in 1862 was part of the California surveying district, but in 1864 it was attached to Colorado; subsequently, however, by act of 2d March, 1865, it was reannexed to, and with California now forms one surveying district. The appropriation, by act of 2d July, 1864, for Nevada surveys was not made available whilst the surveyor general at Denver, Colorado, had jurisdiction, because sufficient time for the purpose did not elapse between the date of said appropriation and the period when the transfer to California was ordered by the act of 1865.

Upon the restoration, however, of Nevada to the surveying district of California, in March last, instructions were given to the proper officer to contract for the surveys of the public lands to the extent of the then existing means, about \$20,000, giving preference to the lands along the Pacific railroad route. As the Indian reservation at Pyramid lake, in Nevada, extended within the ten-mile range of the Central Pacific railroad along the great bend of the Truckee river, the late Secretary of the Interior, on 13th May, 1865, directed that the said reservation to the extent of its intrusion upon the railroad limits should be reduced, and the portion falling within those limits should be surveyed as other public lands, the alternate section to be allotted to the grant, and the residuary ones to be open to settlement, and the surveyor general was accordingly so instructed by this office. Subsequently the department's order for laying open

the residuary sections to settlement was modified by the Secretary, and hence on the 19th August last, the surveyor general was called on for report as to the action which had been taken by him under the department's original orders of 13th May last; and when his report shall have been made, the same will be laid before the Secretary of the Interior for definite instructions as to what disposal shall be made of the aforesaid residuary sections.

OREGON.

During the fiscal year ending June 30, 1865, surveys in Oregon have progressed to the extent of available means. The field-work on the Columbia river, in the valleys of John Day's, Umatilla, Grand Ronde, and Powder river, was equal to 867 lineal miles of standard, township, and section lines, and embrace 199,028 acres.

It is reported that a large number of immigrants seeking homes are locating in the eastern portion of Oregon, in the valley situated between the Blue mountains and the Snake river, over which standard lines have been established, as preparatory to township and subdivisional surveys.

The surveys during the fiscal year ending June 30, 1867, are proposed in the Coquille and Umpqua river valleys, along Oregon Central military road, John Day's. and Umatilla river valleys; and to cover the expense of such field operations a corresponding estimate has been presented by the surveyor general. The annual report of that officer furnishes interesting details of the varied resources of Oregon; treats particularly of the productiveness of the soil, valuable timber, fruit trees, fisheries, water-power, mines and minerals. The gold and silver export products of Oregon in one year are reported as \$15,000,000, whilst the export of the products of agriculture, of the forest, fisheries, wool, and other articles, reach \$10,000,000, making a grand total of Oregon exports of \$25,000,000.

WASHINGTON TERRITORY.

In this distant Territory the surveys have been advanced, by using unexpended balances of former appropriations, to the extent of 605 lineal miles of standard parallel, township and sections, embracing 210,471 acres, in the following localities: at the confluence of Yakama with Columbia river, and on the upper waters of the Touchet river, a tributary of Walla-Walla river, being east of the Cascade and west of the Blue mountains; on the Puyallup river, in the vicinity of the Commencement bay; on Cedar river, affluent of the Dwamish or Washington lake, and bordering the lake of Sammamish, lying between the Admiralty inlet and west of the Cascade mountains. In order to extend the public surveys down the Straits of Fuca, and to embrace Clallam bay and the reported coal-fields in that region, the lines of the public surveys were extended by traverse along the straits by setting posts for corners of fractional townships. In thus determining the relative positions of the townships situated between the Olympic range of the mountains, presenting insuperable obstacles to the extension of the public lines in place, the fractional township thirty-two north, range twelve west, of the Willamette meridian, was reached, and as it included the town of Gaston, on the Clallam river, it has been subdivided.

The proposed surveys, as estimated for by surveyor general, for the fiscal year ending June 30, 1867, are indicated upon the accompanying map, and are situated in localities east of the Cascade mountains, the extension of standard lines to be in the direction of the Snake and Pelouse rivers, to the western limits of the Territory of Idaho and in proximity to Fort Colville; the land

being of the best quality, and where settlements have existed for upwards of thirty years.

Surveys are also proposed west of the mountains in the numerous valleys of the rivers emptying into the Admiralty inlet, and in the vicinity of Shoalwater bay, now desired for actual settlements, in view of expected immigration in that direction.

BOUNDARY LINES BETWEEN LAND STATES AND TERRITORIES.

The common boundary between Oregon and Washington Territory, on the forty-sixth parallel, starting from the middle channel of the Columbia river, thence due east to the main channel of Snake river, for the survey of which the sum of \$4,500 was appropriated June 25, 1860, was reported 30th August, 1864, by the astronomer and surveyor as completed, but returns of the work have not yet been received.

The survey of the boundary line between Oregon and California, on the forty-second parallel of north latitude, from the northeastern corner of the State of California, or the intersection of the parallel with the one hundred and twentieth degree of longitude west of Greenwich, to the Pacific ocean, has been required for several years, to enable the surveyors general of those States properly to close and connect the lines of public surveys on the common boundary. To effect an early survey of the northern boundary of California an estimate of \$15,000 has been submitted.

The establishment of the northern limits of New Mexico is required by the progress of public surveys adjacent to the thirty-seventh parallel of north latitude both in New Mexico and Colorado, as also in properly determining the lines of grants under treaty which have localities in both Territories. For the want of a recognized boundary between these Territories, applicants for the survey of confirmed grants at their own expense are at a loss whether to seek the instrumentality of the surveyor general at Santa Fé or Denver; and hence an estimate of \$15,000 is submitted to run the boundary in question.

In this connexion the propriety is suggested of finally adjusting the limits between Georgia and Florida, so that the survey of the public lands in the latter may be closed on properly defined boundary. The true line, under the provisions of the act of Congress, approved May 4, 1826, for the settlement of the boundary by commissioners on the part of the United States and the State of Georgia, has not been established, owing to the disagreement as to the locality of the head or source of the St. Mary's river. In order to quiet adjacent unsettled private rights, further legislation is required with the view to the ascertainment of the true locus of the source of the St. Mary's river, according to the intent and meaning of the treaty of 1795 with Spain.

LANDS IN THE STOCKBRIDGE RESERVE, WISCONSIN.

The act of Congress approved March 3, 1865, attaches the lands belonging to the United States in the late Stockbridge reservation in Wisconsin to the Menasha land district. The right of pre-emption is there secured to actual settlers who have improvements thereon to the value of not less than fifty dollars, provided they make the necessary proof and payment within one year; the land not sold within that time to be brought into market. This act reduces the price to three dollars per acre for lots fronting on Lake Winnebago; five dollars per acre for the two tiers of lots fronting on the military road, one tier of lots on each side thereof; and two dollars and fifty cents per acre for the residue, whether entered under the pre-emption laws or purchased at public sale. Instructions, therefore, have been despatched to the land officers at

Menasha with a view of giving proper effect to this act, and ordering public notice to be given settlers of the provisions of the statute.

INDIAN RESERVATIONS "IN PLACE"—SALES OF INDIAN TRUST LANDS—FLOATS—PUEBLOS.

Since September 30, 1864, there have been issued seven hundred and five patents for Indian land claims connected with the Chippewas, Delawares, Kansas trust, Kaskaskias, Ottawas of Blanchard's fork and Roche de Boeuf, Ponca Half-breed Scrip, Sac and Fox of the Mississippi, Shawnee, Stockbridge, Winnebago trust land sales, Wyandot floats, and pueblos, in New Mexico, covering in the aggregate over two million four hundred and seventy thousand acres.

SIoux RESERVATION IN MINNESOTA.

Application was made by certain settlers upon the Sioux reservation in Minnesota to be allowed to enter the lands settled upon by them within said reservation, under the homestead law.

This office held that under the second section of the act of Congress approved March 3, 1863, parties settling on those lands are required to pay the appraised value thereof, including the value of the improvements, and therefore those lands could neither be entered under the homestead nor under the pre-emption laws, at the ordinary minimum of \$1 25 per acre.

The improvements referred to in the law of 1863 are those made by the United States or by the Indians.

The Secretary of the Interior having approved the Commissioner's views, instructions have been issued accordingly to the register and receiver.

PRE-EMPTIONS IN THE SIOUX RESERVE.

The resolution of the United States Senate of the 27th June, 1860, looked to the concession of the pre-emption privilege in persons who in good faith had settled upon the Sioux Indian reservation on the south side of the Minnesota river. in Minnesota, "provided the assent of the Indians shall first be obtained in such manner as the Secretary of the Interior shall prescribe."

As certain pre-emptions had been asserted to tracts within the reserve, an official call was made in May last on the Commissioner of Indian Affairs for information as to whether such assent had been given, followed by reply that the subject had been submitted to the Indians, who had "peremptorily and unqualifiedly refused to give their consent;" and hence such claims stand excluded from the reservation in question.

LEGISLATION CONCERNING SWAMP LANDS.

By the acts of Congress of March 2, 1849; September 28, 1850; March 2, 1855; March 3, 1857, Congress have not only conceded swamp and overflowed lands "in place," but when lands of this class had been sold as arable, or located with bounty warrants, the statute authorized the department in the one case to pay over in money to the State authorities the amount of such sales, and in the other to give to the State an equivalent in public lands.

The indemnity acts of 1855 and 1857 are, however, held by this office to be wholly retrospective, and in extending by act of March 12, 1860, the swamp concession to Oregon and Minnesota the indemnity rule is set aside and forbidden, while in regard to swamp land thereafter to be surveyed, selections under the grant are required to be made within two years from the adjournment of the next session of the legislature, after official notice by the depart-

ment to the governor of the State that the surveys have been completed and confirmed.

Under these laws there have been selected to September 30, 1865, as swamp, by the States of Ohio, Indiana, Illinois, Missouri, Alabama, Mississippi, Louisiana, Michigan, Arkansas, Florida, Wisconsin, Iowa, and Minnesota, a grand aggregate of 58,650,242 $\frac{71}{100}$ acres. Of this there have been actually approved to the grantees 45,422,327 $\frac{48}{100}$ acres, as shown by accompanying tabular exhibits.

Besides these swamp concessions "in place," there has been refunded in money from the United States treasury, as indemnity—that is, on account of the cash the United States received for tracts claimed as swamp—the sum of \$513,826 84, and special certificates have been given to allow land indemnity on account of locations, also claimed as swamp, equal to 366,674 $\frac{11}{100}$ acres.

These enormous concessions, with large indemnity cash payments from the public treasury, and new land indemnity grants, suggest the necessity for legislative revision, and enactments prescribing the mode of proceedings to be before the district officers, and after notice in establishing swamp claims, and in taking testimony; also in better defining what shall be treated as swamp—whether such selections shall be restricted to lands bordering on great internal water communications, where the region is so overflowed as to be unfit for settlement, or whether the grant shall be extended or shall exclude marshy or wet low lands and lakes, or ponds liable to be dried up by natural causes. It is important, too, that the statute should so limit the period within which swamp selections shall be made of lands hereafter to be surveyed as will take date in some fixed period from the time of reception at the district land office of the approved township plats; and further, that it should declare whether it is the duty of the department, before vesting title, to require a showing that condition of the grant—namely, constructing of levees and drains—has been complied with.

The embarrassments arising from the unexpected magnitude of operations under the grant, the conflicts growing out of other interests, such as railroad grants and with individual titles, and the investigation of alleged frauds in selections, have, of necessity, rendered the adjustment of this business laborious and difficult.

There have been approved to the States claiming swamp during the past year 893,491.95 acres, and patents for the larger portions thereof have been issued, whilst special patents for indemnity have been granted for 71,965.83 acres. Indemnity also in cash, under the act of 1855, has been awarded the past year to the amount of \$170,941 42, and in land for 15,874.16 acres.

The State of Illinois has now on file swamp claims to land indemnity covering many thousand acres, in the counties of Bond, Clark, Clinton, Cumberland, Crawford, Coles, De Witt, DeKalb, Edgar, Edwards, Franklin, Grundy, Hamilton, Iroquois, Johnson, Jackson, Jasper, Kankakee, Livingston, Logan, McLean, McHenry, Macon, Macoupin, Montgomery, Massac, Ogle, Perry, Pope, Randolph, Rock Island, Shelby, Sangamon, Vermillion, Williamson, Wayne, Winnebago, Whiteside, Woodford, Wabash, White, and Mason.

The clause for indemnifying the State is upon this ground—that the lands in said counties which were swamp, and within that grant, have been selected as arable tracts for locations with military bounty land warrants and scrip. There are now, however, no public lands in Illinois with which such indemnity claims could be satisfied, and the established rulings of the department restrict indemnity in all cases to the limits of the State in which the original swamp premises were situated.

Charges of fraud in the mode of making swamp selections not yet patented, and of false representations as to the character of lands on which indemnity is

sought, have induced the appointment, under the Secretary's orders, of a special agent to make field examinations, and from personal investigation and by collection of credible testimony to make report with the view to definitive departmental action on claims falling in this category. His work is not yet completed, but the reports already made fully justify the precautionary measures heretofore adopted in this matter.

These reports indicate that while the mere form of proof for indemnity may be complied with, the premises on which indemnity is sought are, in many instances, among the most desirable farming lands.

The practical misconstruction of the laws of Congress, in many instances, in making swamp selections, has rendered it necessary to defer further proceedings on indemnity claims until it can be ascertained to what extent frauds may exist.

The adjustment of swamp interests in California has engaged special attention in order to make existing legislation available to the State, and relieve the matter from further delay and complication. Instructions to this end have been despatched to the surveyors general, indicating in outline past proceedings, and prescribing measures to effect an early execution of the law. Those instructions are to the following effect:

That the Secretary of the Interior at an early day had submitted two methods, by either of which the State might co-operate in making swamp selections, but that the acceptance of neither proposition had been signified. That information had been received of independent State action, which, if recognized, would lead to embarrassments, and that this office, after consultation with the State agent, had instructed the surveyors general to ascertain the swamp tracts from the field-notes, and in cases where selections have been made, and these notes were silent, to admit parole testimony. Lists of selections were thereafter transmitted here by the surveyor general, but were returned to be perfected, having been found deficient in certain essential particulars.

In regard to these, and all other swamp selections on file in the office of the surveyor general, that officer is informed they may now be perfected in accordance with instructions, and may be forwarded with the testimony for definitive adjustment. Upon being returned to the department with the proof establishing the swampy character of the premises, the tracts will be forthwith patented to the State if found vacant and uninterfered with, in accordance with the principle set forth in the act of March 12, 1860, and the decision of the Secretary of May 4, in that year, any conflicts with settlers or other rights to be determined, each case, on its merits, after notice to, and hearing the parties interested.

As the act last referred to forbids selections from surveyed lands unless made within two years from the adjournment of the legislature next ensuing the date of said act, the surveyor general's swamp lists where surveys had been completed at the date of that act must be made up from tracts selected within the specified time.

In regard to lands unsurveyed at the date of the act of 1860, but over which thereafter the lines have been established, it is the right of California to make selections within the period of limitation fixed in that act; any selections falling in this class then properly reported will be patented to the State.

No surveys executed by agents in California can be recognized, because, by express law of Congress, surveying by any parties are forbidden except by United States officers, whose surveys alone are binding upon the government, the State, and individuals. By the 10th section of the act of May 30, 1862, however, California, by her agents, can apply to the surveyor general, and in making the requisite deposit, surveys by townships may be officially executed, and so made as to cover the swamp premises which may have been heretofore unlawfully surveyed by other than United States officers. From the field-notes of these official surveys selections of swamp lands can be made, and upon receipt of the same at the department they also will be duly patented to the State.

The General Land Office has thus exerted its power to the full extent of its legal ability for the segregation in behalf of the State and the patenting of the swamp lands designed to be conceded by the statute.

RIPARIAN RIGHTS.

Where tracts with water-fronts on permanent bodies of water (lakes or rivers) have been sold by the government, the owners of the water-fronts hold in virtue of their original titles any actual accretion which may arise; but where there is a recision of the waters to any considerable extent from the surveyed meanders, the premises do not fall into the category of accretions. When such waters disappear, from natural or other causes, it is the established practice of the department to cause the lines of the public surveys to be extended over the bed of the former water-course, and after public notice to dispose of the same as other public lands.

MILITARY BOUNTY LANDS.

On the 30th September, 1865, there were outstanding and unsatisfied 59,834 warrants of the issues under the acts of 1847, 1850, 1852, and 1855, covering 6,331,860 acres.

For services in the war of the Revolution there are outstanding and unsatisfied warrants equal to 243,629 acres.

The Virginia military district, Ohio, embracing an area of 3,709,848 acres, is situated between the Little Miami and Scioto rivers, northwest of the river Ohio, and comprises, in whole or in part, twenty-two counties of that State, having been reserved by Virginia, in her cession to the United States of the northwestern territory, for the purpose of satisfying the claims for land bounty promised her officers and soldiers of the continental line in the war of the Revolution.—(Hening's Statutes at Large, vol. 11, p. 571.)

All of the lands in this district have been entered and surveyed, and for the most part carried into patent, except a residuum of some 40,000 acres, which are still unappropriated. These consist of small scattered parcels in the district, and have become the property of the general government by a deed of cession, made in 1852, from the State of Virginia. No disposition has been made of them, nor have they ever been restored to the mass of the public domain. Some of the tracts, it is supposed from recent investigation, are quite valuable, containing a quantity of timber and some mineral oil. In view of the existing relations of the government to the premises, it is recommended that all the archives, maps, plats, and records now in the charge of the surveyor of the Virginia military district, at Chillicothe, Ohio, be transferred by law to the General Land Office, with authority to prescribe rules and regulations for the location and survey of the unpatented portion, the expense thereof to be borne by locators.

COAL LANDS—TOWN PROPERTY.

By the original act for the disposal of coal lands and town property on the public domain, approved July 1, 1864, any tracts embracing coal-beds or coal-fields are made subject to sale, authority being conferred on the President to offer them to the highest bidder in suitable legal subdivisions. The surveyors general have therefore been instructed that the requirements in the official surveying manual of February 22, 1855, must be enlarged—the stipulations in the first section of said act of 1864 rendering it necessary for deputies in surveying public lands containing coal-beds or coal-fields to note such tracts in the field-notes, not only on the lines intersecting them, but their contour, in order to afford data for delineating the same in the smallest legal subdivisions upon the official plats.

The surveyors general are directed, in entering into contracts, to provide for this additional service in special instructions, it being further required that in the protraction of official township plats the coal tract shall be represented in dark purple, thereby conspicuously indicating lands of this class.

At the last session Congress passed the act of March 3, 1865, supplementary to the law of July 1, 1864, "for the disposal of coal lands and of town property in the public domain." By this supplemental enactment citizens of the United States who, at the date of the "act, may be in the business of *bona fide* actual coal-mining on the public lands for the purpose of commerce," have the right to enter 160 acres, or less quantity, in legal subdivisions, including their improvements and mining premises, at the minimum price of \$20 per acre.

To give efficacy to this supplemental act, a circular has been despatched to the proper district officer to the effect that the privilege granted is restricted to a single entry by a designated class of individuals, namely, such as are citizens, and who, on the 3d of March, 1865, the date of the act, were actually engaged in the business as aforesaid; the statute expressly excluding from its provisions lands reserved by the President for public uses. Testimony is required to be produced, satisfactory to the register and receiver, showing the fact of citizenship, and of the use of the premises for the purpose indicated in the statute, the particulars to be shown in detail both as to the nature and extent of the coal-mining, the period in which the business has been conducted, and in regard to the coal being made by the party an article of commerce, so that correct judgment may be formed as to the validity of the claim. Where the proof is conclusive, the register and receiver are authorized to permit the entry according to legal subdivisions "in compact form not exceeding 160 acres."

Where the mining improvements and premises are on land surveyed "at the passage of this act," a sworn declaratory statement descriptive of the tract and premises, and of the extent and character of the improvements, must be filed within six months from the date of the act, and proof and payment made within one year from the date of the filing.

If the mining premises are on land which may be surveyed after the passage of the law, then the declaratory statement should be filed within three months from the return of the plat to the district land office, and proof and payment be made within one year from the date of such filing.

TOWN LOTS.

The second section of the supplementary act of 3d March, 1865, relates to any city or town existing on the public lands at the date of the act, and modifies the limitation as to the extent of the areas of the town claim and town lots, imposed by act of 1st July, 1864.

The act of July 1, 1864, limits the town claim to 640 acres, and the town lots to 4,200 feet each; but this supplemental law embraces interests in which the lots and buildings, as municipal improvements, shall cover an area greater than 640 acres, by declaring that any city or town existing on 3d March, 1865, shall not be debarred because of such excess of area over or of variance from the size of the town claim or town lots, as limited by the act of 1st July, 1864; that for the excess of square feet contained in lots over the maximum named in the act to which this is amendatory the minimum price shall be increased to such reasonable amount as the Secretary may establish.

In the second section of the supplemental law it is provided that parties having a possessory right to mineral veins, "which possession is recognized by local authority," are to be protected therein, and titles to be acquired to town lots under this act are made subject to "such recognized possession and the necessary use thereof," yet with an express saving of the paramount title of the United States.

The act of 1st July, 1864, relating to town property, is only modified as regards the extent of the town claim and the size of town lots. Hence it will be necessary for the citizens of the town or city existing at the date of the supplemental act to file with the recorder of the county in which the town or city is situate a plat thereof, describing its exterior boundaries, and according to the lines of the public surveys where such surveys have been executed. Also, the plat or map of such city or town must exhibit the name of the city or town, the streets, squares, blocks, lots, and alleys, the size of the same, with actual measurements and area of each municipal division, and a statement of the extent and general character of improvements.

The map and statement must be verified by oath of the party acting for and on behalf of the city or town, and within one month after filing the map or plat with the recorder of the county a verified copy of the same and of the statement must be sent to the Commissioner of the General Land Office, with the testimony of two witnesses that the town is a *bona fide* one, established and existing at the date of the act of 1865.

Where the city or town is within the limits of an organized land district, a similar copy of the map and statement must be filed with the register and receiver.

Where the city or town is founded on unsurveyed land, the exterior lines thereof must be distinctly marked and established, so that when the lines of the public surveys shall hereafter be run they may be properly closed therein; it may, in fact, be proper to adjust the exterior limits of the premises in accordance with the lines of the public surveys, when it can be done without impairing the rights of others.

By the second section of act of 1st July, 1864, after the transcript and statement have been filed in the General Land Office, the lots are to be offered at public sale to the highest bidder at a minimum of ten dollars per lot; but by the supplemental act, when the area of each lot exceeds the maximum of 4,200 square feet, the minimum price is reasonably to be increased by the Secretary.

A privilege, however, is granted to any actual settler of pre-empting one lot, and also one additional lot on which he may have "substantial improvements," at the minimum or increased price, at any time before the day fixed for the public sale.

Inquiries have been made of the department by the land office in Colorado as to whether the act approved 3d March, 1865, supplemental to the coal land and town-property law of 1st July, 1864, should be "so construed as to admit of the entries of towns located on lands where mineral is known to exist," and whether entries should be allowed of the "mountain towns in Colorado." These officers have consequently been instructed that the act of 3d March, 1865, takes hold of towns actually existing on the public lands prior and up to the date of that law; that the inquiry must be answered in the affirmative; yet with this express understanding and direction, that in acting upon cases of towns in what is known to be the mineral region it will be the duty of the land officers to inquire whether the tracts covered by municipal subdivisions contain the precious metals as the predominating element of value, and where such is shown to be the case the proof must be sent on, with their opinion in that respect, accompanied by all the papers, in order that such saving clause may be inserted in the patents as may be legal and proper.

DENVER CITY TOWN SITE.

By the act of Congress approved 28th May, 1864, for the relief of the citizens of Denver, in the Territory of Colorado, the provisions of the town site law of 23d May, 1844, are extended, enlarged, and made applicable to that place, so as to authorize an entry at the minimum price of a certain section and

a half of land, or such portions thereof as are settled and actually occupied for town purposes by the town of Denver, the entry to be in trust for the several use and benefit of the rightful occupants and the *bona fide* owners of the improvements thereon according to their respective interests, reserving from said sale and entry such blocks or lots in the town as may be necessary for government purposes.

By the fifth section of the act 1st July, 1864, for the disposal of coal lands and town property on the public domain, the town site act of 23d May, 1844, is repealed.

A question having been raised as to whether this general repeal is retroactive and embraces the special act of 28th May, 1864, for the relief of the citizens of Denver, this office decided that it does not; that the repealing provisions are prospective from the date of said act of 1st July, 1864, and the special act aforesaid of 28th May, 1864, stands in full force and effect.

HOMESTEAD LAW.

The second section of the homestead act of May 20, 1862, declares, in regard to entries under this law, that "on payment of ten dollars he or she shall thereupon be permitted to enter the quantity of land specified: *Provided, however,* That no certificate shall be given or patent issued therefor until the expiration of five years from the date of such entry, and if, at the expiration of such time, or at any time within two years thereafter, the person making such entry—or, if he be dead, his widow, or in case of her death his heirs or devisee, or in case of a widow making such entry, her heirs or devisee, in case of her death—shall prove, by two credible witnesses, that he, she, or they have resided upon or cultivated the same for the term of five years immediately succeeding the time of filing the affidavit aforesaid, and make affidavit that no part of said land has been alienated, and that he has borne true allegiance to the government of the United States, then in such case he, she, or they if at that time a citizen of the United States, shall be entitled to a patent as in other cases provided for by law."

Questions have arisen under the law as to the right of the heirs of a party, who, after taking initiatory steps required by the statutes, had entered the army and died in the military service of the United States. To give efficacy to the right of such heirs, proof satisfactory to the register and receiver must be produced establishing the fact of his actual entrance and death in the military service.

The register and receiver will then have authority to credit the claim as settled and cultivated from date of entry to date of soldier's decease; but the heirs must keep up continuous actual settlement for such period, starting after death of the soldier, as, with the time to be credited, will make up the full period of five years of actual settlement and cultivation from date of entry. At the expiration of five years the requisite proof of settlement and cultivation must be produced to the satisfaction of the register and receiver when in accordance with the ruling above indicated, and thereupon it will be the duty of the register to issue a patent certificate in favor of the heirs of the decedent, following the rule in this respect prescribed by the second section of the pre-emption act of March 3, 1843, in regard to deceased pre-emptors. It has been decided that a party in the land or naval service of the United States, who has entered under the homestead law in accordance with the act of March 21, 1864, is not required to make actual settlement on the land until discharged from service, but after such discharge he must thereupon immediately settle upon the tract, and comply fully with all the requirements of the original law of May 2, 1862. Where parties wish to pay for the homestead before the expiration of the five years, proof of settlement and cultivation must be made, as the law directs, up to the date of such payment.

Inquiries have been made as to whether a party who entered lands under the homestead act can be "allowed to erect mills upon the same, and cut and remove

the timber thereon for the use of said mills, without making other improvements and cultivating the land."

Hence, it has been held that the homestead oath expressly requires "cultivation," and consequently it is incumbent on the settler to prove cultivation before he receives patent. At what period of his settlement he is to cultivate the law does not declare, but it is manifest he cannot subsist on the land without cultivation, unless he has other resources. Therefore, if he fail to plough, to sow, to reap, his mill will not avail him, as the timber sawed can only be applied in improving his settlement—such as in building, fencing, and constructing implements necessary for agriculture or some domestic use.

Should the settler, however, cut and saw timber for purposes other than the improvement of the land, namely, for sale, it will be liable to seizure. In granting a homestead right, Congress contemplated *bona fide* in the settler, and any abuse or waste tending to impair the value of the land before maturity title, viz., at the end of five years' residence and cultivation, is in conflict with the meaning of the homestead law, and prohibited.

WISCONSIN FIVE PER CENT. FUND AND MILWAUKIE AND ROCK RIVER CANAL COMPANY.

Wisconsin five per cent. fund.

The act of June 18, 1828, granted to the Territory and State of Wisconsin 138,996 acres of public land to aid in the construction of a canal to connect the waters of Lake Michigan with those of Rock river. As the canal was not constructed, the lands, by the terms of the act, reverted to the United States. The State, however, having sold 125,431 $\frac{2}{100}$ acres thereof, the matter was referred to the Attorney General, under whose opinions of July 24, 1852, and September 18, 1854, the lands thus sold were computed at \$2 50 per acre, and charged against the five per cent. fund of the State, amounting to \$313,579 55. The five per cent. fund on December 30, 1862, was found to be \$250,139 11, leaving a balance due the United States of \$63,440 44. Against this sum was charged, as offset, the accrued five per cent. fund from time to time.

By joint resolution of July 1, 1864, for the relief of the State of Wisconsin, it was provided that the Secretary of the Interior, in adjusting the five per centum of the net proceeds of sales within the limits of the State of Wisconsin, should estimate and charge against the State the value of the aforesaid 125,431 $\frac{2}{100}$ acres, at \$1 25 per acre, and that the State should be credited with the amount legally and properly applied towards the cost of selling the lands and constructing the canal.

The Commissioner of the General Land Office was designated to adjust the account under supervision of the Secretary, and to determine the sum chargeable to the State, and what sum should be credited. Under this resolution an account was presented in behalf of Wisconsin, admitting a balance due the United States of \$88,433 91. On the adjustment, a balance was found due the United States of \$101,355 05, caused by rejecting items charged by the State, amounting to \$12,921 14, as not "legally or properly applied" towards selling the granted lands or constructing the canal. The account between the United States and the State of Wisconsin, as adjusted, may briefly be summed up as follows:

125,431 $\frac{2}{100}$ acres, at \$1 25.....	\$156,789 77
Amount of expenditures allowed	55,434 72
Leaving amount charged to the State under resolution.....	101,355 05
The five per cent. fund as above stated is.....	250,139 11
Leaving a balance due the State of	148,784 06

MILWAUKIE AND ROCK RIVER CANAL COMPANY.

By the same resolution the adjustment of an account was required between the United States and the Canal Company, wherein the company were to be allowed such sums of money as had been properly expended in the survey and location of the canal, in its construction, as far as that had been done, together with dams, locks, slack-water navigation, and in the management and keeping the same in repair, not exceeding, however, the balance charged against the State after deducting the allowances upon the sale of canal lands, the Commissioner to determine what sums should be credited.

The company presented an account for expenditures amounting to \$153,625 86. Upon the adjustment of that account, the sum found due the company was \$76,492 77; making a difference between the claim preferred by the company and that allowed of \$77,133 09; caused, first, by the exclusion from the official adjustment of \$21,587 32, charged and entered in the account subsequent to the passage of the resolution, for repairs, office rent, services of officers and attorneys; and second, by the non-admission of \$56,545 77, claimed as interest paid from time to time.

Interest, in the first place, forms no part of the cost of survey, location, construction or management of the public works, such being a liability of the company, not an expenditure upon the canal.

In the next place, unless the statute in express words orders the admission of interest, it cannot be allowed by the Executive, such allowance being against the general policy of Congress.

For these considerations, the interest claimed was held inadmissible, and accordingly rejected out of the aforesaid sum of..	\$101,355 05
Constituting the net proceeds of the sale by Wisconsin of the canal lands. Deducting the award made to the company under the joint resolution of.....	76,492 77

Leaves the amount of.....	24,862 28
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the residue of the aforesaid proceeds as public moneys in the treasury of the United States, being the total consideration the government has received on account of the grant, the measure it contemplated having failed, as only an inconsiderable portion of the canal was constructed.

HARBOR AND SHIP-CANAL GRANT IN MICHIGAN.

By an act approved March 3, 1865, Congress made provision for "granting land to the State of Michigan, to aid in building a harbor and ship-canal at Portage lake, Keweenaw Point, Lake Superior."

The act concedes to the State 200,000 acres in aid of the construction of a harbor and ship-canal to connect the waters of Lake Superior and the waters of Portage lake, to be selected in subdivisions by agent of the State, subject to the approval of the Secretary of the Interior, from any lands in the upper peninsula subject to private entry, the law stipulating that the selections shall be made from alternate and odd-numbered sections of land nearest the location of the canal, not otherwise appropriated, and not from lands designated by the United States as "mineral," before the passage of said act, nor from lands to which the rights of pre-emption or homestead have attached.

Instructions were accordingly issued in April last to the register and receiver at Marquette to facilitate the execution of the law, and these officers have been advised that the odd-numbered sections within the limits of the military wagon road from Fort Wilkins, Copper Harbor, to Fort Howard, Green Bay, in Wisconsin, are not subject to selection under the aforesaid act of March 3, 1865.

COAL OIL LANDS IN CALIFORNIA AND COLORADO.

The land officers at Humboldt, California, reported in January, 1865, that petroleum or coal oil had been discovered in certain townships, and it was believed that deposits in that section are extensive and destined to become valuable. Information likewise has been received from Denver leading to the belief that such deposits exist also in Colorado. Instructions have, therefore, been despatched, to the effect that it is not the policy of the government to deal with petroleum tracts as ordinary public lands any more than with auriferous or other mineral or salines, and hence the district land officers were required to report the exact description of any and all tracts strictly of the character mentioned, and withhold the same from disposal by the government, unless otherwise specially instructed.

SUPPRESSION OF TIMBER DEPREDATIONS.

This valuable interest, the protection of which has been incidentally assumed by the department, is becoming daily more important as settlements advance, it being so indispensable in every relation and branch of social industry. For many years the timber region of the west, viewed perspectivevly by the statesman, was speculatively appreciated, but its preservation from waste was not then contemplated, because of its exhaustless abundance. The progress of civilization westward within the last thirty years, the wants of a teeming population, inventive and industrious, have made such inroads on this great staple, that it became necessary by penal enactment to interdict its waste. Regardless of statutory prohibition, the pressing demand of settlers and the avarice of capitalists laid waste and spoliated immense areas of timber land until the mischievous effects thereof on the interests of private land owners adjacent constrained the latter to invoke the interposition of the department. Various efforts were made to arrest the evil. Prosecutions were instituted, agencies established, large expenditures incurred, but all without the desired results. Combinations were formed between capital and labor. Community of wants, aided by remoteness and beyond the vigilance of executive officers, rendered prosecutions ineffectual and baffled every effort. Even in comparatively well-settled regions local sympathy sealed up the sources of information, and those personally interested to suppress the mischief would sit inactive, mailing complaints to the department a thousand miles off from the scene of depredation. It became necessary to act; a change of system became imperative, and recourse was had to the employés of the government wherever there was no incompatibility of service. The consequence has been that the trespassing is decreased, and in lieu of prosecutions a compromise system has been adopted, thereby effecting a compensatory return for the waste committed without cost to the treasury, securing a fund ample to defray all expenses, with a surplus of \$30,000 deposited in the United States treasury. Experience has taught us that when community interests conflict with law, and public opinion is in conflict with its enforcement, it becomes virtually inoperative. Hence, by other means equally effective, ends unattainable by legal exactions may be accomplished and public and private interests secured.

The department, by a civil procedure, and avoiding criminal courts, has legitimately converted waste timber into a productive fund, and is gradually suppressing an evil hitherto commensurate with the timber domain of the west. No new legislation is necessary. The present laws, discreetly administered, are ample for protection, unless Congress should deem proper by express enactment to give direct sanction to the authority of the Commissioner, now regarded by this office as legitimately incidental, of relaxing or enforcing the penalty im-

posed by the act of March 2, 1831, on such conditions as shall seem meet to him in all cases involving the spoliation of public timber.

In order to arrest the consequence of concealment as to the proprietorship of timber, a provision by law should declare that in all cases where there is probable cause of seizure of timber, the onus of proof of ownership thereof should be thrown upon the possessor. To this no honest dealer could object, as it would enable him to enter market without the fear of being undersold by a fraudulent competitor.

In connexion with the interests of the Central Pacific Railroad Company on the California side, representations were received that saw-mills had been erected and timber depredations committed. Instructions were therefore communicated to the register and receiver at Marysville to protect the public interests in that respect, but permitting pre-emption and homestead settlers to use the timber for building fences and repairs, yet interdicting cutting for market until actual pre-emption, purchase, or consummation of homestead.

The register and receiver have been directed to warn those engaged in saw-mill operations that the law would be rigidly enforced against offenders; at the same time, for the depredation a reasonable stumpage must be exacted. Since then the subject has been again called up, and instructions have been issued to the land officers at Marysville, informing them that the inhibitory law as to trespass, of 2d March, 1831, is explicit, and in its provisions mandatory upon all.

No discretion is given, no conditional provision made, whereby it can be adapted to any exigency beyond its letter, the Executive being estopped at the threshold. The timber belongs to the United States, and no authority to sell or to permit any one to cut or use it exists. Hence the difficulty—either a refusal to relieve the pressing wants of settlers or permission to violate the law. In order, therefore, to meet the exigencies of the case, this office proposed a compromise, substituting a uniform tariff of fees, in lieu of selling the timber seized, mitigating thereby the penalty in consideration of the peculiar local necessities of the settlers.

The arrangement proposed rests on the principle of treating the parties as offenders under extenuating circumstances, and releasing them on conditions ample to meet the exactions of justice—a principle applicable as well *before* as *after* conviction. Hence, while the law is not evaded, nor its violation countenanced, the wants of new settlements are gratified so far as consistent with sound policy and the necessity of the case.

RESTORATION OF THE PUBLIC LAND MACHINERY TO THE STATES OF MISSISSIPPI, ALABAMA, FLORIDA, LOUISIANA, AND ARKANSAS.

By the President's proclamation of 13th June, 1865, it was ordered that the laws relating to the Interior Department applicable to the geographical limits of Mississippi be put in force in that State. Accordingly it was recommended that a register and receiver be appointed by the President for the district of lands subject to sale at Jackson, Mississippi, who should be instructed to collect and so arrange the land archives as would enable those officers to administer the public land system within their jurisdiction, and that they should be required to collect and arrange the archives belonging to the other land districts in the same State, and to report which of these should be opened to business, and what consolidation can be made so as to afford reasonable facilities, and secure proper economy.

It was at the same time proposed that registers and receivers should be appointed at Montgomery, Alabama; Tallahassee, Florida; New Orleans, Louisiana; and Little Rock, Arkansas.

Appointments at all the different points mentioned, Jackson excepted, have already been made.

The land officers at Montgomery have entered into satisfactory bonds, and instructions have been communicated to the register, with a view to prompt resumption of business, and the same course of proceeding will be had in order that our land system at an early period may be in full operation throughout the aforesaid States.

DISCONTINUANCE AND CONSOLIDATION OF LAND OFFICES.

By the 2d section of the act of 12th June, 1840, it is made the duty of the department to discontinue land offices where the quantity of unsold acres is less than 100,000, and the residue is made subject to sale at some one of the existing land offices most convenient to the district in which the land office shall have been discontinued, of which the Secretary shall give notice.—(Vol. 5, p. 385.)

The 7th section of the act of September 4, 1841, gives authority for the continuance of "any land district in which is situated the seat of government of any one of the States, and for the continuance of the land office in such district, notwithstanding the quantity of lands unsold" may not amount to "100,000 acres, when in" the Secretary's "opinion such continuance may be required by public convenience, or in order to close the land system in such State at a convenient point," under act of 12th June, 1840.

In the general appropriation act, March 3, 1853, (acts, page 194,) it is provided, "that whenever the cost of collecting the revenue from the sales of the public lands in any United States land district shall be as much as one-third of the whole amount received in such district, it shall and may be lawful for the President of the United States, if in his opinion not incompatible with the public interest, to discontinue the land office in such district, and to annex the said district to some other adjoining land district or districts of the United States."—(Vol. 10, p. 194.)

By the act of 3d March, 1855, (vol. 10, p. 244,) the President is "authorized to change the location of the land offices in the several land districts established by law, and to establish the same from time to time at such point in the district as he may deem expedient."

In the act of February 18, 1861, (vol. 12, page 131,) provision is made in relation to consolidating land offices; and by the 5th section of the act of 30th May, 1862, the President, on the recommendation of the Commissioner, approved by the Secretary, "may order the discontinuance of any land office, and the transfer of its business and archives to any other land office within the same State or Territory."—(Vol. 12, p. 409.)

It is important, and recommended, that further legislation be had authorizing the President to modify the boundaries of land districts, so as to enlarge or diminish according to the convenience of the public.

LEGISLATION SUGGESTED TO MEET CASES WHERE THE LANDS ARE SOLD OUT IN A STATE.

As land operations may be virtually wound up in a State, it is important that authority of law should be conferred for transferring all the records to the seat of the general government, and that to the Commissioner should be delegated in such cases all the powers possessed by the register and receiver under existing laws.

An enactment to this end will save the salary and incidental expenses of six officers, which may be dispensed with at an early day, and will meet such cases as may hereafter arise from time to time in the closing of public land business within the limits of any State.

NEW LAND DISTRICT SUGGESTED.

It is recommended that authority of law be given for the organization of land districts in Arizona, Idaho, Utah, and Montana.

In the advance of our people over those distant Territories, such organization is necessary in order to enable them to consummate titles under the pre-emption and homestead laws.

It is not expected that the proceeds from sales will meet expenses for some time to come, yet advantages in the suggested measure are to be realized in extending the beneficent agency of the general government to our people, however distant from the political centre, thus enabling them to realize the benefits of wise and liberal legislation.

LIMITATION SUGGESTED FOR TAKING APPEALS.

As the law now stands there is no period of limitation for taking appeal from decisions of the Commissioner.

It is true, that when a patent issues the case passes beyond the reach of the department, but prior to that time an appeal may be taken, even though years may elapse from date of entry.

To guard against the evils incident to this, it is submitted that a specified time from date of adjudication by local offices shall be fixed for an appeal to this office, also for taking appeal from the General Land Office decision to the head of the department; and further, that to make an appeal effective, the appellant shall file his affidavit, pointing out the alleged error of fact or of law, and stating that it is not for the purpose of vexation or delay to his opponent.

Lands partaking both of the characteristics of arability and of mineral cases arise in the administration of the pre-emption laws, in which the validity of claims are drawn in question by allegations that the premises are mineral lands. The rule adopted is to order an examination to determine whether the predominating element in value is mineral or arable. If the latter, of course the exception fails; but if in mineral, the pre-emption is rejected, the laws expressly interdicting such lands from pre-emption; and hence, even if a patent should by inadvertence issue embracing a tract more valuable as mineral than for agriculture, it would not vest in the party a valid title.

TWO AND THREE PER CENT. FUND ON THE NET PROCEEDS OF THE SALES OF THE PUBLIC LANDS.

The account for the five per cent., amounting to \$5,690 28 on this fund, for the State of Wisconsin, has been reported up to 31st December, 1864, to the treasury for payment.

Accounts are in process of adjustment for the amount of such fund as may have accrued to the States of Michigan, Minnesota, Kansas, and Oregon in the year ending 31st December, 1864, and will be reported for payment at an early day. Nothing has accrued to the State of Nevada since her admission into the Union, and for the State of California no provision in this respect has been made. No percentage has accrued to the States of Ohio, Indiana, Iowa, Missouri, Arkansas, Alabama, Mississippi, Louisiana, and Florida since the period of past reported adjustment. In the State of Illinois, claiming the two per cent. under act of 3d March, 1857, an adjustment of the three per cent. on the value of permanent Indian reservation, at \$1 25 per acre, has been made and paid over, nothing further having been found due the State, according to the judgment of this office, under existing laws.

FEES OF REGISTERS AND RECEIVERS.

The act of Congress approved March 21, 1864, amendatory of the homestead law, limits, by the 6th section, the salary and fees of all registers and receivers to a sum not exceeding \$3,000 per annum; the 4th section increasing their fees in pre-emption cases to one dollar each, under regulations to be prescribed by the Commissioner of the General Land Office.

Pursuant to these provisions an official circular was issued April 18, 1864, authorizing the register to collect the fee of one dollar when a pre-emption "notice" is filed; the receiver's fee to be collected when proof and payment are made.

At the same time it was required of "the register and receiver to account in all cases for pre-emption fees received as revenue, using the form of fee statement already provided," being that which accompanied circular of January 3, 1863.

At the time the circular of 1863 was issued it applied only to consolidated land offices. Now it applies to all land offices, the fees being a part of their compensation, which is not to exceed the \$3,000 maximum, and hence they must be accounted for—must be paid to the receiver as other fees, and credited to the United States in monthly and quarterly accounts.

By the first section of the act of Congress approved July 1, 1864—Statutes for 1864, page 335, chapter 196—it is stipulated that "in the location of lands by States and corporations, under grants from Congress for railroads and other purposes, except for agricultural colleges, the registers and receivers of the land offices of the several States and Territories, in the districts where such lands may be located, for their services therein, shall be entitled to receive a fee of one dollar for each final location of one hundred and sixty acres, to be paid by the State or corporation making such location, the same to be accounted for in the same manner as fees and commissions on warrants and pre-emption locations, with limitations as to maximums of salary prescribed by existing laws, in accordance with such instructions as shall be given by the Commissioner of the General Land Office."

Instructions have been issued to the proper land officers advising them that, under this law, the register and receiver are respectively entitled to receive a fee of one dollar for each final location of one hundred and sixty acres, or any quantity approximate thereto, where the deficit is less than forty acres. That the grantees shall file with the register and receiver lists of the tracts claimed by them as inuring under the grant; the lists to be verified by the agent or attorney. That in the preparation of those lists the register and receiver will afford the agent or attorney all reasonable facilities, but not to the interruption of current public business; the lists to be critically examined by the district officers, their accuracy tested by the plats and records, and when so tested and examined to be treated as a "final location," and are to be so certified to the General Land Office.

These summary proceedings will then authorize the district office to collect the fees; and when the lists are here received, with evidence of the fee payments, such definite action as the law requires will be taken by this office with a view to invest the grantees with complete title. Fees for exemplifications furnished by the General Land Office.

The act of Congress approved July 2, 1864, on this subject, went into effect on July 1, 1865. Accordingly, a system with proper checks has been established, and the proceeds received for such services are promptly paid into the treasury at the close of each month.

SATISFACTORY SETTLEMENT OF ACCOUNTS.

The accounts of receivers of public moneys, disbursing agents, surveyors general and deputies, are adjusted to recent dates, and it is a source of gratification to report that within a full administrative term not a single defalcation is known to this office.

EVENTS IN EARLY AND LATER HISTORY INDICATING THE NECESSITY FOR DIRECT COMMUNICATION BETWEEN THE EASTERN AND WESTERN SHORES OF THE CONTINENT AND WITH THE EAST INDIES.

In the earliest period of the history of this continent the statesmen of Europe were alive to the importance of more direct communication with the east, the first discoverer having sailed westward in search of a direct passage to India, and reached in his last voyage the Darien isthmus, yet without seeing the Pacific, which was discovered a few years afterwards by Balboa, one of his distinguished successors. The Spanish captains, under instructions from the Court of Madrid, were actively in search of a passage between the two oceans.

Hernan Cortez having sought information in this respect from the Mexican Emperor, and learned from him that none such existed, was then furnished a chart of the Tehuantepec isthmus.

The distinguished philosopher and voyageur Humboldt, in the early part of this century, invited the attention of statesmen and the trading world to several different localities as channels of communication across the continent. The most northerly was proposed in latitude $54^{\circ} 37'$, where he suggested the uniting of the sources of Peace river with those of the Columbia, their sources being seven leagues apart, the Columbia constituting the outlet westward to the Pacific ocean, whilst Peace river, mingling its waters with Slave lake and Mackenzie river, formed the outlet to the Arctic, whence a water communication eastward could be traced to the Atlantic.

The second point proposed, advancing southward, was in the 40° north latitude, and this was to be accomplished by uniting the sources of the Rio Grande del Norte—that river flowing into the Gulf of Mexico on the Atlantic side—with the sources of the Colorado, the latter discharging itself into the Gulf of California on the Pacific, the sources of these rivers being thirteen leagues apart.

The third, fourth, and fifth localities, Tehuantepec, Nicaragua, and Panama, the main points which Humboldt suggested for inter-oceanic communication, were those which occupied the attention of the Spanish authorities three and a half centuries ago, and have been the subject of grave consideration from that time to this by eminent men of both hemispheres.

Whilst Humboldt was examining the outline of the continent in view of its commercial relations, President Jefferson planned the national expedition which was accomplished for tracing a route to the Pacific by ascending the Missouri, crossing the Rocky mountains, and descending the Columbia river to the Western ocean. A few years after this exploration, an able English writer, in contemplating the opening of a maritime communication between the two oceans, predicted that the whole of the immense interests which are deposited in the regions of Asia would become augmented in value to a degree which then could not be conceived, by obtaining direct access to them across the Pacific; that the traffic would be immense which would immediately begin to cover that ocean; that all the riches of India and China would move towards America, and the riches of Europe and America would move towards Asia; that vast depots would be formed at the great commercial towns which would immediately arise at the two extremities of the central canal, and that goods would be in a course of perpetual passage from one depot to the other.

In latter years the governments of Old Spain, Mexico, France, and England have made demonstrations in this respect in the interests of trade, whilst the subject did not escape the attention of that extraordinary man who now presides with such acknowledged ability over the French empire, and whose views in regard to the Nicaragua canal were published some twenty years ago. The legislative and executive mind of our own country in the years 1835 and 1846 had been occupied with this subject, and negotiations were opened with Central America and Grenada. The war, in the year following, with Mexico was succeeded by the treaty of 1848 with that republic, whereby our boundary to the Rio Grande was acknowledged, and the pre-existing possessions on the distant west so enlarged as to extend from $32\frac{1}{2}$ north latitude to Puget's sound and the 49° parallel, thereby giving us a sea-coast on the Pacific ocean of one thousand six hundred and twenty miles.

By these events the interests of the people of the United States and the Pacific were indefinitely multiplied, and in view of these interests the national energies were put forth to facilitate and quicken inter-communication by land and sea;—the new and wonderful agents of nature, steam and the electric power, in their development, having been brought by American genius into active and general requisition to meet public and individual wants, in the establishment of steam lines on the Atlantic and Pacific, running an aggregate distance of seven thousand miles, breaking bulk at the Isthmus, the narrow neck of land standing as an obstruction to the trade of the world, whilst within our own limits the telegraph does its bidding in placing our people even on the opposite ocean shores in daily intercourse.

Now, in this age of unprecedented progress, what indemnity has the wisdom of the national legislature given to the demands of trade and intercourse, in view of the Isthmian obstructions? The answer is found in the

RISE AND PROGRESS OF THE RAILWAY SYSTEM UNDER CONGRESSIONAL LEGISLATION.

By an act of Congress in 1850, a grant was made to Illinois to aid in the construction of railroads. It conveyed for the purpose 2,595,053 acres, which have been valued as high as thirty millions of dollars, resulting in an extraordinary impulse to the settlement and prosperity of the State. At the date of the grant nearly half of the public land within the limits of Illinois was vacant and undisposed of. Now, after the lapse of only fifteen years, the United States have virtually retired as a landholder from the State.

By an act of August 4, 1852, the right of way is granted "to all rail and plank roads and macadamized turnpikes passing through the public land belonging to the United States," where the companies may be chartered within ten years from that date; since extended to August 4, 1867.

Congress have likewise granted lands for similar purposes to Mississippi, Alabama, Missouri, Arkansas, Iowa, Florida, Michigan, Louisiana, Wisconsin, Minnesota, and Kansas. These, together with the concessions to Illinois, cover an area, by estimate in round numbers, of forty million seven hundred and forty-five thousand six hundred acres, half of which has already been certified and the titles vested.

In aid of the construction of wagon roads there have been conceded to Wisconsin, Michigan, and Oregon, an aggregate of nearly two and a quarter millions of acres. These grants are, however, secondary in extent to the great Pacific railway routes, which are designed, by two lines some eight degrees of latitude from each other, to span the territories of the Union from near the geographical centre of the republic to the Pacific ocean.

The authority for these concessions is found in the act of Congress approved July 1, 1862, and the amendatory law of July 2, 1864. The first of these routes

having centrality of position, is to be formed by the Union Pacific on the eastern or Missouri side, linked to the Central Pacific on the western or Pacific side, constituting one great national route, beginning on the Missouri river at the mouth of the Kansas, in north latitude $39^{\circ} 20'$, near the latitude of Washington city, the national metropolis, and of St. Louis, curving northward, takes its westerly course by two branches along the Kansas and Republican rivers, uniting upon the 100th meridian, thence across the plains to Denver, the capital of the new State of Colorado, onward over mountains and through valleys, extending to Great Salt Lake City, in latitude $40^{\circ} 50'$. From that point the Union Pacific and Central will traverse Nevada, near the silver region, entering California, and reaching the navigable waters of the Sacramento, in latitude $40^{\circ} 15'$, turning southwardly along the valley of that river, *via* Sacramento City, it will extend to San Francisco, in latitude $37^{\circ} 47'$. Then the terminus on the eastern or Kansas-Missouri side will have a branch road, now in progress, and the construction of which is aided by a liberal grant, starting from Leavenworth, through Lawrence, in Kansas, to the southern boundary of that State, in the direction of Galveston bay, on the Gulf of Mexico. This road, extended to the latter point, would not only open to our advancing population one of the richest agricultural regions on the continent, but would connect the whole system of railroads north and south, unite them to the great Pacific trunk line, and bind the northern, central, and southern portions of the great valley of the Mississippi by the indissoluble bonds of interest and commerce. Congress has ordered land concessions in aid of the Union Central route, which, by estimate, will embrace some thirty-five millions of acres.

The second of these semi-continental routes is the northern Pacific railway, which will begin at a point on Lake Superior, in Minnesota, in latitude 47° north, running thence westwardly between the parallels of $45^{\circ} 30'$ and $48^{\circ} 30'$ north latitude, by a serpentine line to Olympia, at the southernmost point of Puget's sound, in latitude $47^{\circ} 12'$ west, in Washington Territory, the most distant political mosaic block of the republic, with a branch road along the valley of the Columbia river to Portland, Oregon, in latitude $45^{\circ} 30'$. The land grant by Congress to accomplish this great work will comprise, by estimate, forty-seven millions three hundred and sixty thousand acres.

A division on the Pacific side of the Central Pacific railway has been actually completed, equipped, and is in running order.

Authentic advices having reached here in March last that the commissioners, under the 6th section of the act of 2d July, 1864, had made report to that effect in regard to the "portion of the line of railroad and telegraph from a point on the east bank of the Sacramento river, at the foot of I street, in the city of Sacramento, California, for a distance of thirty-one consecutive miles eastward," in aid of this part of the work selections in Marysville land district have been returned for the Central Pacific Railroad Company under the grant, accompanied by evidence of the payment of cost of survey, as required by the 21st section of the act of 2d July, 1864, (Statutes, page 365,) and also of the fees allowed the register and receiver by another act of 1st July, 1864, page 335. Accordingly, the department has actually certified by schedule to said company forty-five thousand and some hundred acres, to be followed by a patent investing the company with the fee for all clear lands not mineral in the certified schedule. Lands on the Missouri eastern division of the Union Pacific were withdrawn in 1862, but no action in certifying selections on that side has yet been called for. In March last a diagram was sent to this office, showing the proposed route of the Northern Pacific railroad; but in report of the 22d June last to the Secretary it was recommended by the Commissioner as an indispensable preliminary to the withdrawal of lands to satisfy the grant that there should be required a connected map showing the exact location of the northern route, indicating by flag-staffs the progress of the survey; the map

to be authenticated by the affidavit of the engineers, with the approval of the accredited chief officer of the grantee. When such map shall have been filed, the first step will have been taken with a view to the future satisfaction of the grant, as the work of constructing the Northern Pacific shall from time to time advance over the great region of the Union which it is designed to traverse.

These immense railroad grants, by estimate, embrace the quantity of one hundred and twenty-five millions of acres, exceeding by eight millions of acres the aggregate area of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, and Maryland. These enormous grants are within about a fourth of being twice the united area of England, Scotland, Wales, Ireland, Guernsey, Jersey, the Isle of Man, and islands of the British seas, and less than a tenth of being equal to the French empire proper, with its 89 departments and its 37,510 communes.

Why is it that the Congress of the United States, as the national trustee, charged under the Constitution with the disposal of the public lands, have made grants on such a stupendous scale as this? The answer is found not merely in the indemnifying principle of duplicating the reserved sections, but in the higher purpose of opening speedy communication by the iron railway across the continent to unite the great industrial interests of the Atlantic slope, the valley of the Mississippi, and the declivity from the Rocky mountains to the Pacific, as the accompanying railroad exhibit and maps of such grants may serve to some extent to illustrate.

Forty-odd years ago an eminent French geographer, referring to the then extent and geniality of the United States, declared it a region in which man is everywhere occupied in building houses, in founding cities, in opening new lands, in subjugating nature; that on all sides were heard the blows of the hatchet, the blasts of the forge; that ancient forests were delivered to the flames, the plough passing over their ashes, and smiling cities, temples, and palaces rising up within a short distance of Indian cabins.

The same authority referred to the progress of these States as then unexampled, having risen from the war of the Revolution from thirteen States and two and a half millions of people to twenty-four States with a population of ten millions. Such are the glimpses of a philosophic mind from the Atlantic slope, where the elements of progress were then, and have ever since been, so actively in motion.

What is the condition of things now? The national boundaries have been enlarged, as hereinbefore indicated, by the treaties, not only of 1848, but 1853, with Mexico, and our northern limits on the Pacific side are settled by the treaty of 1846 with Great Britain. Our political communities have advanced from twenty-four to thirty-six States, nine Territories, and the Indian country, whilst we have increased from ten to thirty-four millions.

The people on the shores of the Western ocean are advancing from that side towards the interior, whilst from the Atlantic our people are progressing westward to unite their interests with the millions dwelling in the valley of the Mississippi, the basin of which embraces a million of square miles, capable of supporting a hundred millions of inhabitants; the river, with its tributaries, having a steamboat navigation of 16,600 miles, the great river itself rolling its floods to the ocean, bearing upon its bosom the immense products of this most fertile region, and returning in exchange the diversified productions of other portions of the Union and of foreign countries.

In the zenith of ancient greatness the extreme northwestern limit of the dominions of civilization was fixed in the second century of the Christian era at the wall of Antoninus, a rampart against Caledonian incursions, extending from the Frith of Forth to the Clyde, near the 56° parallel of north latitude, in Scotland. The great public highways of that age, issuing, as the historian informs

us, from the Forum, "traversed Italy, pervaded the provinces, and were terminated only by the frontiers of the empire." It linked together cities of ancient Italy, traversed Cisalpine Gaul, passing the Alps, entering Spain, opening the forests of Britain, diverging so as to connect provincial cities of Greece, Asia, and Africa, having been drawn out from the northwest to the southeast at the capital of Judea, a "length of four thousand and eighty Roman," or three thousand seven hundred and nine statute miles. By a comparison of the length of this splendid and enduring work of antiquity, with the enactments in respect to our overland connexions with the Pacific, some idea may be formed of the magnitude of purpose of the American mind in the construction of the two great national railways of an aggregate length of over four thousand statute miles, and which are designed to connect existing highways already traversed by locomotives in every direction of the eastern half of the republic, having in 1864 an aggregate extension of thirty-five thousand miles.

In the administration of the laws making the Pacific grant of the central route the legal rate of the sections retained by the government has been the subject of consideration, resulting in the

DEFINITIVE SETTLEMENT OF THE QUESTION AS TO THE MINIMUM RATE OF THE
EVEN OR UNITED STATES RESERVED ALTERNATE SECTIONS ALONG THE LINE
OF THE PACIFIC RAILROAD.

In July, 1862, a map was filed in this office of the Leavenworth, Pawnee and Western railroad, now known as "the Union Pacific railroad, eastern division," the company claiming, pursuant to the act of 1st July, 1862, "to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean;" and on the 12th September following, instructions were despatched by the Commissioner to the register and receiver at Junction City, Kansas, in which the several statutes bearing upon the interests of the grant, and of settlers, were carefully considered.

In those instructions the claims of pre-emptors are held admissible where the settlements were made *after* the withdrawal of the lands to satisfy the grant, and *prior* to the final allotment of the alternate sections to the railroad, upon payment at the rate of \$2 50 per acre.

Subsequently, and during the present year, exception was taken to the correctness of our ratability; and in a given case, as the price was not stated in said act of 1st July, 1862, nor in act of 2d July, 1864, a former Secretary sustained the exception, not regarding the lands in question as affected by the act of 3d March, 1853. The General Land Office, however, has relied, as fixing the price of these reserved sections, on the said act of March 3d, 1853, vol. 10, p. 244, for extending "pre-emption rights to certain lands therein mentioned," as follows: "That the pre-emption laws of the United States, as they now exist, be and they are hereby extended over the alternate reserved sections of the public lands along the lines of all the railroads in the United States whenever public lands have been or may be granted by acts of Congress."

The words here used are comprehensive, reaching *retrospectively* and *in futuro*, without any limitation whatever, in fact to all time, with the express stipulation "that the price to be paid shall in *all* cases be two dollars and fifty cents per acre, or such other minimum price as is now fixed by law, or may be fixed upon lands hereafter granted."

The minimum price then fixed by law for railroad reserved sections was two dollars and fifty cents (\$2 50) per acre. Since then neither the said acts of 1862, 1864, nor any other law, has changed the railroad minimum. The established doctrine of this office is that there are two distinct classes of tracts under our agrarian system:

1st. The "ordinary minimum" of \$1 25 per acre; and, 2d, the "railroad minimum" of \$2 50 per acre.

These two minimums are everywhere known as separate and distinct from each other in land legislation and land administration.

The term minimum, *railroad minimum*, therefore, as found in the second clause of said act of 1853, should not be confounded with the ordinary minimum, which applies to the great mass of the unreserved public lands, but must, in our judgment, be treated as part of the special matter—railroad tracts—dealt with in the said act of 1853, namely, railroad lands which are fixed at \$2 50 per acre, and that, too, as the law declares, "in all cases," *past and future*.

The importance of the issue to the interests of the United States was set down at over twenty millions of dollars, even if all such lands were disposed of at private sale; but if at public auction, and the coal, useful and precious metals are embraced, the estimate would be immensely increased, because the rate will affect every even-numbered or United States reserved section falling in the belt stretching latitudinally from the Missouri river to the Pacific ocean. By letting down the reserved section to the ordinary minimum, the line which Congress has drawn in legislation between the *ordinary* minimum and the *railroad* minimum would, in the Commissioner's opinion, be obliterated; the indemnity to the United States by the enhanced price of reserved sections, the basis on which such grants were founded, would be at an end; and a principle would be thus overthrown which was strenuously asserted and resolutely insisted upon as the justification for such immense concessions of the public lands. We held, therefore, that Congress, in its wisdom, passed the said act of March 3, 1853, making it of general, nay, universal application, not only for the past but for the future, without limitation of time, so that the principle might be inwrought with all such legislation which might be had, and the question placed beyond doubt or peradventure.

Such were the considerations advanced by the General Land Office in support of its decision, that the true minimum was \$2 50 per acre.

The subject, in another case, has, on appeal, been brought before the present distinguished head of the department, by whom the whole matter was elaborately examined, and the question definitely put to rest by his decision, bearing date August 4, 1865, fixing the ratability of the aforesaid sections at \$2 50 per acre; and this, consequently, so stands as the established and controlling judgment of the department in the premises.

RAILROAD SYSTEM.—IMPOLICY OF ANY DEPARTURE FROM THE PRINCIPLE OF GRANTING LANDS "IN PLACE."

The question has been agitated as to the propriety of change of policy in making grants in aid of the construction of railroads by substituting *floats or scrip* in lieu of land indemnity *in place*, when the full complement is not found within the usual lateral limits. In this connexion the result of such departure from the well-established policy of the government is an important consideration, in view of the interests of homestead and pre-emption settlers.

In reference to any such suggested general change of policy, the General Land Office holds that three principal considerations have always been addressed to Congress in favor of this class of grants:

1st. That the grants are for alternate sections "in place" within limited distances of the line of route; that the duplication of the residuary sections in price, and the quickening of public lands, are the considerations to the government, whereby there is not only no loss, but an absolute gain to the United States treasury.

2d. That the facilities afforded by the construction of these routes are of

great public advantage in advancing the column of settlement and civilization more rapidly than it would otherwise progress.

3d. That there is a tender of free transportation for governmental property and troops, and favorable terms for the transit of the United States mails, besides the creation of facilities over lines which could only be constructed with such governmental aid.

By discarding defined limits and the principle of the double maximum in reserved alternate sections, the whole policy of compensation to the government is at once abandoned, and whatever is given without those restrictions is purely a gratuity to the railroad corporation; nor, indeed, can the limits now prescribed by law be much enlarged without, to some extent, disregarding the existing policy to the prejudice of the government.

The second consideration is one that usually awakens high expectations seldom realized, except upon very long lines connecting remote centres of population, and passing over intervening unsettled or sparsely inhabited districts, as was the case with the Illinois Central, and will be with the great Pacific railroad.

Experience has demonstrated that even with full grant of six sections to the mile, roads will not be constructed unless through settlements which may be relied upon for local business, or as connecting links between great centres of trade and population.

It therefore becomes a question for consideration under this head, how far the policy can, with advantage to the public interest, be allowed to drive settlements back from any proposed line of route.

Judging from the roads which have fallen under the Commissioner's observation, he holds the opinion that the public interest would not be advanced by extending the limits beyond those now fixed by law. If upon any part of the line a road gets less land, it is because there is larger population, and consequently more local business; and if on any part of the line more land is obtained, it is because the reverse is true; yet, in every instance, it will be found that the road is first constructed, and best compensating to the stockholders along that part of its line on which little or no public land is obtained.

In all of the country east of the great western plains, almost every quarter section of land is susceptible of settlement and cultivation; and if so settled, a sufficient number of roads would be promptly constructed, even though no aid should be contributed by the government. How, then, can the public interest be promoted by unduly multiplying these enormous grants, and how can such grants be justified at all except upon a few principal thoroughfares, and for the purpose of connecting remote, present or prospective, centres of population? This office is not aware that any material advantage has accrued to the government, although it has no absolute knowledge in the matter under the reservations mentioned in the third proposition, it being generally understood that these roads are dealt with upon the same terms accorded to lines which have never received governmental aid.

The effect upon the homestead settler may be briefly stated as follows:

To the extent of their road limits the railroad company will take every foot of land allowed by the grant, and the homestead settler will, consequently, be driven that distance from the line of road, and generally from settlements, as the road will invariably follow the line of population.

If a float be granted, it will be promptly located upon the best and all of the good lands nearest to the settled portion of the country and to the line of road, and the homestead settler will, consequently, be driven still further back to the full extent of the grant; thus the settler will be compelled to surrender the local advantages of schools, churches, mills, mechanics, wagon roads, and all other necessary and social advantages incident to a well-settled neighborhood, for the prospective advantage of a railroad within twenty, forty, or sixty miles of him,

as the case may be. These are sacrifices which few settlers will submit to, and which cannot be made with advantage to the country.

The undersigned has glanced, without argument, at only a few of the prominent public considerations which it appears to him should weigh against any radical departure from the principles embodied in existing laws. He has not alluded to the advantages of a concentrated population over one sparse and scattered; to the hostile principles between the homestead law and a monopoly of lands which would follow a concession of floats to railroad corporations; nor to the pertinent inquiry whether, in legislation on the subject, the advantages of the settler should not, in all instances, be first considered; nor has he discussed the impolicy of adding to the present large outstanding floating land certificates for taking up the public lands—such as bounty land warrants under various enactments for military services from the Revolution to the year 1855 for indemnity claims under the swamp acts; for internal improvements and the agricultural law; all of which, to a greater or less extent, diminish the field for pre-emptions, homestead settlers, and lessen the public revenue. These are considerations which address themselves with great force to Congress.

The judgment of this office undoubtedly is, that "floats" or "scrip" should, in no instance, be granted to railroad companies; and further, that, except on arid plains which cannot be peopled, or in mountain regions where agricultural lands only to a very restricted extent exist, the maximum limits now allowed by law, in which indemnity selections may be made upon alternate sections, cannot be extended with advantage to the government or people; nor does this office believe that the companies themselves would reap any decided advantage by such extension.

Should this, however, be a mistaken view, it is clear that the advantage should not be conceded at the public expense, nor to the detriment of our frontier settlements.

MINERALS.

In again referring to the immense value of the mineral deposits within the public domain, it is desired specially to impress upon the department, Congress, and the country, the importance of this source of wealth, its great extent, and the propriety, not to say necessity, of some positive policy in dealing with this interest, instead of the negative one now existing, and which has to this time prevailed.

Partial and very meagre explorations in much the larger portions of the western and Pacific States and Territories afford indubitable evidence of an inexhaustible supply of the precious metals, the annual yield of which in the future is to be restricted only by the limit of the capital and labor employed in their development, which, to a greater or less extent, will be influenced by the policy which shall govern the possession of the mineral-bearing localities. Already vast local interests have grown up in the vicinity of the richer and earlier discovered veins; local usage, in the absence of definitive legislation, has prescribed regulations for the acquisition and disposal of mining rights which ought not and cannot be rudely disturbed without serious detriment to individuals and corporate interests, and corresponding diminution of the product of the localities thus to be affected—results which it is neither the interest nor the purpose of the nation to produce.

In all of the States and Territories in which mining for the precious metals is a leading branch of industry, the local usages have been sanctioned by State or Territorial laws, and sustained by the judicial tribunals of the respective sections. The system thus inaugurated is without that uniformity which national legislation alone can give, yet it is the offspring of necessity, and adapted to the practical wants of each section and district; is interwoven with all the business

interests of the people, and has to this time resulted in great individual prosperity and rapid development of the mineral resources of the country. Under this system no compensation is rendered by individuals or demanded by the government for the possessory right, and no title is acquired by individuals or parted with by the United States. The laws and theory are, that the mineral lands are the property of the nation, and cannot be sold or disposed of under existing legislation. The practice is, that each discoverer has a claim to so much as the miners' laws of the district shall prescribe, with the exclusive right to work or dispose of the possessory right, which is daily done, with confidence in the titles, which are passed from hand to hand, and at prices ranging from a few cents to six or eight thousand dollars a lineal foot along the vein or lode.

Incident to this system are immense expenditures for opening the mines; the excavation of shafts, tunnels, and chambers; the construction of roads over lofty mountains, deep valleys, and streams; the erection of ponderous and expensive machinery; the construction of vast canals; the creation of towns and cities in desert places, in advance, too, of the public surveys and the introduction of the ordinary machinery of civil government. Such are some of the results which have been produced by the restless energy of our people—the anxiety for the precious metals, the stimulant of rich discoveries, and the free occupation accorded to the miner by the negative policy of the government.

These improvements have been carried into and over the mountains, ravines, and rivers of California, Nevada, Arizona, New Mexico, Colorado, Utah, Montana, Idaho, Oregon, and Washington, and with them population has entered the remotest valleys and recesses of mountains wherever the existence of the precious metals has been ascertained.

The necessities which the war for the preservation of the Union has created will still further stimulate the acquisition of the precious metals and their accumulation in the country, thus enlarging the metallic basis for our national currency, whilst the resistless spirit of adventure of the millions of men who have been in arms during the last four years will find occupation in the construction of the great iron pathway across the continent, and in searching for and bringing to light and use the immeasurable hidden treasures contained within the mountain ranges which span our country from north to south, and extend from the great plains to the Pacific.

The elements essential to the continued and rapid increase of the products of the mines are security in possession under some permanent and well-regulated system, and the early extension and multiplication of railroad communications from ocean to ocean and with the interior of the continent. The improvement of the great navigable rivers which find their sources in the vicinity of those mineral deposits is also essential, with the construction of some leading wagon-roads and post routes on the important lines where railroads cannot at present be constructed, and where rivers do not furnish the requisite facilities for transportation; and also the establishment of military posts, of such number and strength as will furnish adequate security to persons and property on the lines of travel and throughout the whole mineral region.

Kansas, Colorado, Utah, Nevada, and California, through which will pass the lines of the Central and Union Pacific railways, are known to contain immense deposits of iron and coal, thus furnishing the material, in great abundance and of superior quality, for both constructing and working railways to any conceivable extent. New Mexico and Arizona are likewise rich in these essential minerals, and those Territories should be encouraged by the aid of liberal grants of the public domain to connect them with the great trunk road by lateral branches.

Montana, Idaho, and eastern Oregon and Washington, equally rich in both the precious and useful metals, present similar claims for consideration, and promise like liberal returns in the yield of their mines and forests. If efficient

measures are not early adopted for the extension of the Northern Pacific railroad, land concessions should be made for connecting these localities with the great trunk of the Pacific road.

Fears have been entertained that, considering the great extent of mountain and inarable land along the central portion of the line of the Pacific railroad, freights from the centre towards the ocean termini would be inadequate for the support of such length of line. Experience will demonstrate that the outward will exceed the inward freights for all time after the completion of the route. The richer ores, containing gold, silver, copper, quicksilver, tin, with salt, alkali, iron, cotton, wool, lumber, and other products of the interior region, seeking an outward market, will always exceed the inward flow of merchandise, machinery, and manufactures of every kind. The great bulk of inward transportation at the present time consists of articles of food, tools, and machinery, which will be furnished in the vicinity of the mines as soon as the resources of the country are better understood, and the necessary capital and higher cultivation introduced, both of which will keep pace with, if they will not be in advance of, the construction of the road. The agricultural and pastoral capabilities of the larger portion of the region in question, fully developed, are equal to the support of a dense population; and the vast water-power created by its mountain torrents in all the northern portions will afford extraordinary manufacturing facilities.

Interests so immense, so intimately interwoven with the pursuits of our people, so essential to an adequate increase of the proper currency basis of the country, affording so extended a field for the enterprise of our citizens, and with necessary development a solid basis for national credit and commercial ascendancy, it would seem, should receive the fostering care of the executive and legislative mind, and be placed upon such fixed and solid foundation as will secure to individuals the permanent enjoyment of the legitimate fruits of their labor and enterprise, and to the country the enduring advantage and supremacy which the possession of such resources should command.

Schemes for the disposal of the mineral lands, varied and numerous as the combinations of interests directed to their acquisition, will be presented for the consideration of the legislative department; and each will be urged upon public attention with all the fervency which can be inspired by the magnitude of the matter involved, than which none greater in a pecuniary sense ever existed. The ostensible purpose of all parties will be to fill the public treasury with the golden product.

Prominent among these, and the measure that will be urged with the greatest tenacity of purpose, the most importunate argument, and extravagant promises of astounding results to the treasury, will be the project for the survey and sale of this class of lands.

In the discussion of such plans, it should not be forgotten that the policy of deriving direct revenue from all other portions of the public domain has been abandoned by the adoption of the homestead principle in favor of actual settlers, and the bestowal upon States and corporations of extensive grants for purposes of education, internal improvement, and drainage; that these grants already cover an extent greater than the original thirteen States; and that, considering the Pacific States and the new Territories, the system is but half developed. Other land concessions, equally great, must, in pursuance of this policy, be made to the auriferous States and Territories.

Such being the established views of the government in relation to its arable and swamp lands, the question naturally arises with the masses of the people directly interested, being the miners and those to become such, upon what principle of public justice or sound policy are they alone required to contribute beyond those engaged in other pursuits?

In this connexion the fact is also presented, that of the million of square

miles over which this great mineral wealth is scattered, not to exceed a hundredth part is mineral-bearing to an extent that is compensating to labor and capital. The small portion which is mineral-bearing can only be definitely ascertained by expensive explorations, and no inconsiderable portion of the non-mineral-bearing area is utterly worthless for all other purposes.

To what extent, by any system of subdivision and sale, are the purchasers expected to pay for the worthless portion?

Is it rational to suppose it will be done to an extent that will defray the great expense of any system of surveys over these almost inaccessible mountains and defiles?

If the worthless will not sell, what price is to be attached to the strictly mineral-bearing areas?

How are these particular subdivisions to be ascertained?

If by the government, the cost will be enormous, far greater than any minimum which will be established. If by individual exploration, is the explorer not to be given a preference right to purchase for the risk and outlay of labor and capital?

If not, their exploration will be deprived of its principal stimulant, and consequently sales will cease, except at a very low minimum—so low as not to justify individual risk—whilst aggregate receipts will be diminished to less than the cost of administering the system.

The experience of nearly twenty years has demonstrated the fact that valuable discoveries have invariably been the result of accident or individual enterprise; that in no instance has the large public expenditure for surveys and explorations of the region in question resulted in bringing to the knowledge of the public the exact locality of valuable deposits of the precious metals.

Again: the value of the mineral deposit is not estimated or determined like that of arable lands, by the superficial area included in any subdivision, but by the richness of the deposit, and its perpendicular, lateral, and lineal extent far beneath the surface—it may be one hundred or fifteen hundred feet—to be ascertained, in either case, by years of labor and corresponding outlay of capital.

Until some approximate estimate can be reached, by what rule can any minimum be established which shall either serve as an indication of value, be compensating to the government, or bear any equitable ratio between the various localities?

If an explorer shall discover a valuable deposit he will not make the fact known to the representative of the government until he has become the purchaser and owner of the land, and therefore all lands valuable for mineral, the character of which has not been established prior to the time when they shall be opened for sale, will be purchased at the ordinary rate, which must be a very low minimum, and consequently the title will pass from the United States, without reference to the tract, either as extremely valuable or very inferior mineral location.

It may be said that many poor locations will be sold which will compensate for the sale of a few good ones at a low price. This is presupposing that the individual who pays his money will be equally as indifferent as the government, which only parts with a few acres of its vast domain, of the value of which it has and can have no exact information.

In practice this will seldom occur; and even if it should, the advantage to the government resulting from driving a hard bargain with one of its citizens is hardly conceivable. Clearly, the more numerous this class of cases the less benefit will it be to the country.

This brief allusion to some of the difficulties to be met and overcome in inaugurating any equitable and profitable system for the sale of mineral lands is presented in order that, so far as it can be done, these difficulties may be con-

sidered and, if possible, avoided. Should such a policy receive the sanction of Congress?

In the absence of legislative direction or restriction beyond the simple prohibition of survey and sale of this class of lands, the necessities of the mining population have induced the establishment of local systems for the distribution of mineral discoveries and the protection of claimants in possessory rights by discovery or purchase, to the extent allowed or prescribed by regulation in the respective localities.

At first these regulations were few and simple, binding only upon the parties participating in their adoption, and limited in their application to the particular bar, gulch, or placer, upon which the miners enacting the same happened for the time being to be operating. They were applicable alone to the placer mines, the only class worked in the first instance.

The rapidity with which these localities were exhausted, the migratory habits of miners, and the varied and uncertain extent of this kind of mining, would have prevented these regulations from assuming any uniformity of character or permanently binding authority, had not the labor of our people been directed to the opening and working of the heavy hill placers and the rich quartz veins or lodes. In these was found more permanent mining property, the successful development of which required time, the erection of expensive works as canals, and mills, and withal security of title under fixed and equitable rules of distribution.

It is scarcely possible that the duty of prescribing these regulations, with such certainty of advantage to the country and justice to the parties immediately interested, could have been placed in any other hands so competent as the practical, well-informed, interested and self-constituted body of miners who voluntarily assumed the task.

The regulations thus established have been gradually improved by additions and amendments, suggested by experience and imposed by necessity, until they have reached the dignity and authority of well-defined and acknowledged laws, binding and enforced over the entire mineral region by the local, legislative, executive, and judicial authorities of the respective States and Territories, controlling the possession and distribution of a vast property, and the business relations and prospects of more than one hundred and fifty thousand of our most enterprising and deserving citizens.

The wisdom and fitness of these regulations are best determined by the results: these are seen in the more rapid development of the mines of this than those of any other country, ancient or modern; in the steadiness and regular increase of the product; in the progress of new discoveries; in the readiness of capital to invest in this branch of industry; in the general prosperity of the mining population; in the growth and establishment of new States and Territories distant from the marts of commerce and channels of communication; in the vast wave of population from the agricultural to the mineral region; in the construction of roads and establishment of post routes; in the great project of the Pacific railway; and the maintenance of the public credit against the judgment of foreign nations, and beyond the expectations of our own people.

It must be clear to even the most superficial observer that a system so interwoven with the material interest of the country—upon which rests the whole industrial and business fabric of the mining communities, with roots and branches in all our commercial cities—should be considered and continued or provided for in framing any law for the disposal of, or in relation to, the public property, embracing mines of the precious metals.

The existing system, the result of local necessity, bears analogy to the homestead policy applicable to the arable portions of the public domain, with this difference, that it does not, of course, give promise of ultimate title in fee as the

reward of occupancy and improvement, yet it contemplates the equivalent of undisturbed possession so long as occupancy and improvement shall be continued.

Undoubtedly the miner's system of laying off, distributing, and limiting claims is one of the best if not the only practical and equitable one which can be devised. It is adapted to the formation, takes hold of and deals with the precise property, follows the line of deposit, and limits the acquisition to a reasonable extent, and to the continuous working of the same. The objection to which this system will be made liable by the advocates of survey and sale is, that it makes no compensation to the government for the possession, nor for the mineral value extracted. It is not the sum that may to-day be placed in the treasury as an equivalent for the possession of a few hundred feet, more or less, of any rich or any undeveloped mineral lode which determines its value to the nation, but the permanence and extent of the annual product, the number of persons it can profitably employ, their prosperity, and the contribution they can annually make to the aggregate wealth of the country. To capitalize this vast property at this time is impossible; and it is worthy of consideration whether appropriate measures to that end can be devised with the imperfect data at hand as to the extent, locality, and relative value of the various known and unknown deposits. How far the existing system can, with judicious modifications, be made applicable to the production of national direct revenue without oppressing the mining communities, and what modifications would be required to make it acceptable to the country and justify its adoption in lieu of a system of survey and sale, are questions referable to the future, and to be settled only by careful observation within the mining districts, and in view of actual mining operations. In any event, it becomes the nation to suggest and provide for gathering and systematizing accurate information and representations of the products, capabilities, wants, and usages in the mining States and Territories. When this shall be done, the way will be plain for the inauguration of a system which shall be beneficial alike to the mining communities and the nation at large. Until then, it is more than probable that any plan which may be devised will be found oppressive to the one, or disadvantageous to the other of these interests. With well-organized authority at the seat of government, and even very limited encouragement for the formation of voluntary central organizations in the States and Territories having branches in each mining district or locality, it is believed that accurate information and full representations by geological and mineral specimens could be promptly and economically gathered from all sections of the country.

To this end, the organization of an institution at the seat of government is hereby recommended. By such a system commendable emulation would be aroused in every district, and with every interest. Individual and associated effort would be combined with that of the government, reciprocally aiding each other. The results in a few years would be realized in the receipt and dissemination of exact information of the mineral product and resources of the whole country, and in the accumulation at the national capital of a geological and mineral cabinet, which, while it represented only our own country, would not be excelled in richness or variety by any similar collection on the globe. Such an institution should also have the capacity to collect, in process of time, the manufactured products of the mines in all the various stages of advancement, from the crude to the most highly finished and valuable, the whole forming a grand practical study for the student, the experienced scholar, the artisan, and statesman.

All of which is respectfully submitted.

J. M. EDMUNDS, *Commissioner*.

HON. JAMES HARLAN,
Secretary of the Interior.

LIST OF PAPERS ACCOMPANYING COMMISSIONER'S ANNUAL REPORT, DATED
OCTOBER 3, 1865.

No. 1. Statement of the surveying returns to this office for the fiscal year ending June 30, 1865, and for the quarter ending September 30, 1865.

No. 2. Statement of public lands sold, of cash and bounty land scrip received therefor; number of acres entered under the homestead law of May 20, 1862; of commissions received under the sixth section of said act; also of land located with scrip under the agricultural college and mechanic act of July 2, 1862; and commissions received by registers and receivers on the value thereof; and statement of incidental expenses thereon in the fiscal year commencing July 1, 1864, and ending June 30, 1865.

No. 3. Summary for the fiscal year ending June 30, 1865, showing the number of acres disposed of for cash, with bounty land scrip, by entry under the homestead laws of May 20, 1862, and March 21, 1864, with aggregate of ten-dollar homestead payments, homestead commissions, also locations with agricultural and mechanic college scrip under act of July 2, 1862.

No. 4. Statement showing the quantity of swamp land selected for the several States under the acts of Congress approved March 2, 1849, and September 28, 1850, and March 12, 1860, up to and ending September 30, 1865.

No. 5. Statement exhibiting the quantity of swamp land approved to the several States under the acts of Congress approved March 2, 1849, and September 28, 1850, and March 12, 1860, up to and ending September 30, 1865.

No. 6. Statement exhibiting the quantity of swamp land patented to the several States under the acts of Congress approved September 28, 1850, and March 12, 1860, and also the quantity certified to the State of Louisiana under act approved March 2, 1849.

No. 7. Exhibit of bounty land business under acts of 1847, 1850, 1852, and 1855, showing the issues and locations from the commencement of operations under said acts to June 30, 1865.

No. 8. Estimate of appropriations required for the office of the Commissioner of the General Land Office for the fiscal year ending June 30, 1867.

No. 9. Estimates of appropriations for the surveying department for the fiscal year ending June 30, 1867.

No. 10. Estimates of appropriations for surveying the public lands for the fiscal year ending June 30, 1867.

No. 11. Reports of surveyors general, A to I, inclusive.

No. 12. Connected map of the public land States and Territories, compiled from the diagrams accompanying the reports of the surveyors general.

No. 13. Agricultural selections within certain States, and also scrip locations under agricultural and mechanic act of July 2, 1862.

No. 14. Statement exhibiting land concessions by acts of Congress to States and corporations for railroad and military wagon road purposes from the year 1850 to September 30, 1865, accompanied by maps indicating the lines of routes and limits of the States of Arkansas, Alabama, Florida, Iowa, Kansas, Nebraska Territory; of the States of Louisiana, Missouri, Mississippi, Minnesota, Michigan, Illinois, Wisconsin, Oregon, California, with a connected map showing the lines of routes under congressional grants and the seats of land offices.

GENERAL LAND OFFICE, *October 3, 1865.*

NOTE.—The diagrams accompanying the annual reports of the surveyors general are omitted, and the connected map of the public land States and Territories, brought up to current date therefrom, is bound with this report in lieu of them.

No. 1.

Tabular statement showing the number of acres of public lands surveyed in the following land States and Territories up to June 30, 1864, of public lands and private land claims during the last fiscal year, and the total of the public lands surveyed up to June 30, 1865, and also the total area of the public domain remaining unsurveyed within the same.

Land States and Territories.	Number of acres of public lands surveyed up to June 30, 1864.	Number of acres of public lands surveyed within the fiscal year ending June 30, 1865.	Total of the public lands surveyed up to June 30, 1865.	Total area of private grants surveyed within the fiscal year ending June 30, 1865.	Total area of the public lands remaining unsurveyed June 30, 1865, including private claims surveyed but not yet fully reported.
Wisconsin	33, 018, 805	721, 826	33, 740, 631	.....	770, 729
Iowa	35, 630, 898	.....	35, 630, 898	.....	.....
Minnesota	21, 035, 594	*419, 208	21, 454, 802	.....	30, 024, 440
Kansas	14, 578, 920	183, 661	14, 762, 581	.....	37, 280, 939
Nebraska Territory	11, 907, 517	1, 262, 784	13, 170, 301	.....	35, 466, 499
California	26, 762, 049	246, 268	27, 008, 317	+38, 700	74, 670, 345
Nevada	451, 407	.....	451, 407	.....	51, 733, 553
Oregon	5, 249, 838	199, 028	5, 448, 866	.....	55, 509, 860
Washington Territory	3, 123, 431	210, 471	3, 333, 902	.....	41, 462, 258
Colorado Territory	592, 040	605, 281	1, 197, 321	.....	65, 774, 971
Utah Territory	2, 425, 239	.....	2, 425, 239	.....	65, 659, 241
Arizona Territory .....	.....	.....	.....	.....	80, 730, 240
New Mexico Territory	2, 293, 142	.....	2, 293, 142	.....	75, 275, 498
Dakota Territory	1, 431, 630	313, 251	1, 744, 881	.....	152, 237, 199
Idaho Territory .....	.....	.....	.....	.....	58, 196, 480
Montana Territory .....	.....	.....	.....	.....	92, 016, 640
Total	158, 500, 510	4, 161, 778	.....	38, 700	.....

* Of which 172,208 acres are Dakota or Sioux Indian lands surveyed under the provisions of the act of Congress approved March 3, 1863.—*Statutes at Large*, vol. 12, p. 819.

† Yo-semite valley and Mariposa Big-Tree grove, granted to the State of California by act of Congress approved June 30, 1864.

DEPARTMENT OF THE INTERIOR,
General Land Office, September 30, 1865.

No. 2 A.

Statement of the public lands sold, of cash and bounty land scrip received therefor, number of acres entered under the homestead law of May 20, 1862, of commissions received under sixth section of said act; also, of land located with scrip under the agricultural college and mechanic act of July 2, 1862, and commissions received by registers and receivers on the value thereof, and statement of incidental expenses thereon, in the first half of the fiscal year commencing July 1, 1864, and ending June 30, 1865.

Land offices.	Quantity sold for cash and bounty-land scrip at and above the minimum price of \$1 25, and amount received for the same, for the first half of the fiscal year ending December 31, 1864.		Exhibit of the amt. paid in cash and bounty-land scrip, respectively, for the first half of the fiscal year ending Dec. 31, 1864, mentioned in first column.		Quantity of land entered under homestead act of May 20, 1862, with aggregate of the \$10 payments required by section 2 of the act; and also with aggregate of commissions of registers and receivers, under section of said act, and of act approved March 21, 1864, amendatory thereto, for the first half of the fiscal year ending December 31, 1864.				Aggregate disposed of for cash; also bounty land scrip and of cash, under homestead act of 1862, and act amendatory.		Quantity of land located in first half of fiscal year, with scrip issued under the agric. col. and mech. act of July 2, 1862, and registers and receivers' commissions on value of land sold.		Incidental expenses.	
	Acres.	Amount.	Cash.	Military scrip.	Area in homestead entries, in acres.	Aggregate in \$10 payments.	Am't of reg. and rec. com's under sec. 6 of homestead act of 1862, and the amendatory act of 1864.	Aggregate to \$10 payments of 1862, and the amendatory act of 1864.	Acres.	Amount.	Acres.	Amount.	Amount.	
OHIO.														
Chillicothe.....	83.67	\$259 18	\$259 18		80.00	\$10 00	\$2 00	\$12 00	163.07	\$269 18			\$609 84	
INDIANA.														
Indianapolis.....													536 25	
ILLINOIS.														
Springfield.....	1, 111.82	1, 743 37	1, 438 26	\$305 11	74.25	20 00	3 72	23 72	1, 186.07	1, 763 37			800 63	
MISSOURI.														
Boonville.....	582.92	1, 627 40	1, 627 46		13, 612.00	1, 110 00	340 31	1, 450 31	14, 295.92	2, 737 46			1, 237 75	
Ironton.....	5, 385.76	6, 732 19	6, 732 19		1, 188.00	80 00	29 77	109 77	6, 573.76	6, 812 19			665 46	
Total.....	5, 979.68	8, 359 65	8, 359 65		14, 800.00	1, 190 00	370 08	1, 560 08	20, 779.06	9, 549 63			1, 903 23	
ALABAMA.														
St. Stephen's.....														

No. 2 A.—Statement of the public lands sold, of cash and bounty land scrip received therefor, &c.—Continued.

Land offices.	Quantity sold for cash and bounty land scrip at and above the minimum price of \$1 25, and amount received for the same for the first half of the fiscal year ending December 31, 1864.		Exhibit of the amt. paid for in cash and in bounty-land scrip, respectively, for the first half of the fiscal year ending Dec. 31, 1864, mentioned in first column.		Area in homestead entries, in acres.	Aggregate in \$10 payments.	Am't of reg. and der. sec. 6th of homestead act of 1862, and the amendat'y act of 1864.	Aggregate of \$10 payments and commissions.	Aggregate disposed of for cash; also bounty land scrip and of cash, under homestead act of 1862, and act amendatory.		Quantity of land located in first half of fiscal year, with scrip issued under the agric. act, and the mech. act of July 2, 1862, and registers and receivers' commissions on value of land sold.		Incidental expenses.
	Acres.	Amount.	Cash.	Military scrip.					Acres.	Amount.	Acres.	Amount.	
IOWA—Continued.													
Fort Dodge	698.79	\$1, 022 21	\$1, 022 21		26, 912 52	\$1, 900 00	\$736 65	\$2, 636 65	27, 611 31	\$2, 922 21			\$1, 264 31
Sioux City	23.64	29 56	29 56		1, 630.00	120 00	45 00	165 00	1, 653.64	149 56			606 78
Total	1, 040.51	1, 550 55	1, 550 55		36, 177.17	3, 020 00	1, 123 18	4, 143 18	37, 217.68	4, 570 55	800.00	\$20 00	3, 457 90
WISCONSIN.													
Menasha	8, 001.98	10, 444 10	10, 044 10	\$400 00	2, 282.96	310 00	58 58	368 58	10, 264.94	10, 754 10	1, 760.00	44 00	1, 630 69
Steven's Point	3, 408.27	4, 450 85	4, 340 85		1, 534.49	170 00	38 34	238 34	4, 943.76	4, 510 85			1, 655 70
La Crosse	4, 301.17	5, 789 96	5, 789 96		19, 400.39	1, 860 00	541 90	2, 011 56	23, 701.56	7, 649 96			1, 433 22
Eau Claire	3, 693.97	4, 767 36	4, 767 36		6, 045.31	490 00	127 30	613 30	9, 739.28	5, 257 36	1, 756.42	43 92	1, 894 58
Bayfield	5, 797.30	9, 452 89	9, 452 89		638.29	40 00	15 96	53 96	6, 435.59	9, 492 89			1, 117 73
Falls of St. Croix	1, 754.60	4, 557 52	4, 272 52	285 00	11, 850.94	1, 040 00	404 14	444 14	13, 605.54	5, 597 52	640.00	16 00	1, 953 40
Total	26, 958.29	39, 352 68	38, 667 68	685 00	41, 732 38	3, 910 00	1, 186 22	5, 096 22	68, 690.67	43, 262 68	4, 156.42	103 92	6, 655 32
MINNESOTA.													
Taylor's Falls	1, 201.94	1, 605 56	1, 605 56		2, 914.24	210 00	72 84	282 84	4, 116.18	1, 815 56			614 24
St. Cloud	17, 993.85	23, 373 74	23, 173 74	200 00	38, 592.12	2, 550 00	997 46	3, 537 46	56, 585.97	23, 923 74			2, 077 89
Winnipeg City	3, 452.15	5, 014 92	5, 014 92		70, 142.00	4, 800 00	1, 836 46	6, 636 46	73, 584.15	9, 814 92			2, 514 52
Minneapolis	7, 945.05	14, 538 76	14, 338 76	200 00	43, 638.49	3, 440 00	4, 754 86	51, 583.54	51, 583.54	17, 978 76	11, 321.81	263 04	2, 760 00
Du Luth	3, 934.18	4, 917 74	4, 917 74		159.80	10 00	4 00	14 00	4, 953.98	4, 927 74	1, 120.00	28 00	2, 676 94
St. Peter	4, 102.65	7, 646 31	7, 646 31		43, 184.71	3, 420 00	1, 252 00	4, 672 00	46, 267.36	11, 066 31	6, 357.18	158 90	2, 001 85
Total	38, 693.82	57, 097 03	56, 697 03	400 00	197, 631.36	14, 430 00	5, 467 62	19, 897 62	236, 261.18	71, 527 03	32, 318.45	807 90	10, 645 44

CALIFORNIA.										
San Francisco.....	7,183.44	8,183.00	2,360.00	120.00	71.00	921.00	0,483.84	0,183.18	420.06	
San Antonio.....	9,108.47	11,323.10	10,428.83	670.00	301.80	1,061.20	19,501.30	12,003.19	740.00	
San Diego.....	4,141.49	5,140.15	320.00	30.00	19.00	1,001.20	5,160.15	5,160.15	1,441.49	
Humboldt.....	4,112.19	13,590.92	0,577.65	440.00	246.56	601.03	17,449.55	14,030.92	654.01	
Stockton.....	10,471.90	4,083.81	5,842.32	390.00	211.05	2,601.90	9,556.44	5,083.81	1,170.17	
Visalia.....	3,715.12	43,683.07	25,532.80	1,670.00	931.90	2,601.90	60,434.29	45,333.07	612.53	
Total.....	34,801.49	43,683.07	43,683.07						5,295.19	
OREGON.										
Oregon City.....	3,163.35	3,956.69	19,027.18	620.00	353.54	973.54	22,192.53	4,576.69	2,315.57	
Roseburg.....	20,112.26	25,115.33	6,224.66	400.00	223.40	633.40	26,336.92	25,515.33	2,318.32	
Total.....	23,275.61	29,072.02	25,251.84	1,020.00	566.94	1,606.94	48,529.45	30,092.02	4,633.89	
WASHINGTON TER.										
Olympia.....	26,453.94	32,621.16	10,050.72	550.00	326.30	876.30	36,504.66	33,171.16	1,723.45	
Vancouver.....	16,366.59	20,458.23	8,390.58	630.00	314.66	944.66	24,757.17	21,088.23	1,264.66	
Total.....	42,820.53	53,079.39	18,441.30	1,180.00	640.96	1,820.96	61,261.83	54,259.39	2,988.11	
KANSAS.										
Topeka.....	852.90	1,195.08	3,092.80	220.00	84.78	314.78	3,945.70	1,423.08	1,035.20	
Humboldt.....	1,103.50	1,379.39	10,385.32	710.00	272.65	972.65	11,484.82	2,079.39	833.30	
Junction City.....	610.68	782.36	5,055.60	430.00	165.28	595.28	5,666.28	1,193.36	603.83	
Total.....	2,567.08	3,357.83	18,533.72	1,360.00	522.71	1,882.71	21,100.80	4,697.83	2,472.33	
NEBRASKA TER.										
Omaha City.....	4,028.89	5,036.11	18,172.03	1,200.00	454.30	1,654.30	22,900.92	6,236.11	1,186.07	
Brownville.....	969.31	1,211.40	11,800.13	840.00	295.00	1,135.00	12,769.44	2,051.40	850.96	
Nebraska City.....	2,066.52	2,508.14	13,832.94	900.00	345.84	1,245.84	15,838.46	3,408.15	945.15	
Dakota City.....	351.90	439.87	775.00	70.00	19.87	89.87	1,126.90	509.87	582.31	
Total.....	7,356.62	9,195.52	44,580.10	3,010.00	1,115.01	4,125.01	51,936.72	12,205.52	3,564.51	
NEW MEXICO TER.										
Santa Fe.....									500.00	
COLORADO TER.										
Denver.....	9,644.31	12,055.39	12,653.81	820.00	474.93	1,294.93	22,298.12	12,875.39	1,202.86	
DAKOTA TER.										
Vermillion.....	518.53	648.15	6,382.10	320.00	145.65	475.65	6,900.63	978.15	673.00	
NEVADA TER.										
Carson City.....	18,104.82	22,631.02	60.00	10.00	1.50	11.50	18,164.82	22,641.02	2,406.32	

No. 2 A.—Statement of the public lands sold, of cash and

RECAPIT

States.	Quantity sold for cash and bounty-land scrip at and above the minimum price of \$1 25, and amount received for the same for the first half of the fiscal year ending December 31, 1864.		Exhibit of the am't paid in cash and in bounty-land scrip, respectively, for the first half of the fiscal year ending Dec. 31, 1864, mentioned in first column.	
	Acres.	Amount.	Cash.	Military scrip.
Ohio.....	83. 67	\$259 18	\$259 18	.....
Indiana.....	.....	.....	.....	.....
Illinois.....	1 111. 82	1 743 37	1 438 26	\$305 11
Missouri.....	5 979. 68	8 359 65	8 359 65	.....
Alabama.....	.....	.....	.....	.....
Mississippi.....	.....	.....	.....	.....
Louisiana.....	.....	.....	.....	.....
Michigan.....	160,070. 44	217,516 42	217,254 75	261 67
Arkansas.....	.....	.....	.....	.....
Florida.....	.....	.....	.....	.....
Iowa.....	1 040. 51	1 550 55	1 550 55	.....
Wisconsin.....	26 958. 29	39 352 68	38 667 68	685 00
Minnesota.....	34 629. 82	57 097 03	56 697 03	400 00
California.....	34 891. 49	43 663 07	43 663 07	.....
Oregon.....	23 277. 61	29 072 02	29 072 02	.....
Washington Territory.....	42 820. 53	53 079 39	53 079 39	.....
Kansas.....	2 567 08	3 337 83	3 064 29	273 54
Nebraska Territory.....	7 356. 62	9 195 52	9 195 52	.....
New Mexico Territory.....	.....	.....	.....	.....
Colorado Territory.....	9 644. 31	12 055 39	12 055 39	.....
Dakota Territory.....	518. 53	648 15	648 15	.....
Nevada Territory.....	18 104. 82	22 631 02	22 631 02	.....
Total.....	373,055. 22	499,561 27	497,635 95	1,925 32

To which add number of acres located with agricultural scrip, and commissions received
Also, commissions received on homestead entries, as shown in column No. 3 of section 3.

bounty-land scrip received therefor, &c.—Continued.

ULATION.

Quantity of land entered under homestead act of May 20, 1862, with aggregate of the \$10 payments required by section second of the act; and also with aggregate of commissions of registers and receivers, under section six of said act, and of act approved March 21, 1864, amendatory thereof, for the first half of the fiscal year ending December 31, 1864.				Aggregate disposed of for cash; also bounty land scrip and of cash, under homestead act of 1862, and act amendatory.		Quantity of land located in first half of fiscal year with scrip issued under ag. col. and mech. act of July 2, 1862, and registers' and receivers' comm'n's on value of land sold.		Incidental expenses.
Area in homestead entries, in acres.	Aggregate in \$10 payments.	Am't of reg. and receivers' comm'n's.	Aggregate of \$10 payments and comm'n's.	Acres.	Amount.	Acres.	Amount.	Amount.
80.00	\$10 00	\$2 00	\$12 00	163.67	\$269 18			\$609 84
74.25	20 00	3 72	23 72	1,186.07	1,763 37			526 25
14,800.00	1,190 00	370 08	1,560 08	20,779.68	9,549 65			800 63
								1,903 23
33,443.56	4,110 00	1,442 40	5,552 40	213,514.00	221,626 42	43,433.80	\$1,163 80	8,922 15
36,177.17	3,020 00	1,124 18	4,143 18	37,217.68	4,570 55	800.00	20 00	3,457 90
41,732.38	3,910 00	1,186 22	5,096 22	68,690.67	43,262 68	4,156.42	103 92	6,655 32
197,631.36	14,430 00	5,467 62	19,897 62	236,261.18	71,527 03	32,318.45	807 90	10,645 44
25,532.80	1,670 00	931 90	2,601 90	60,424.29	45,333 07			5,295 19
25,251.84	1,020 00	586 94	1,606 94	48,529.45	30,092 02			4,633 89
18,441.30	1,180 00	640 96	1,820 96	61,261.83	54,259 39	960.00	24 00	2,988 11
12,533.72	1,360 00	522 71	1,882 71	21,100.80	4,697 83	2,076.72	51 92	2,472 33
44,580.10	3,010 00	1,115 01	4,125 01	51,936.72	12,205 52	2,874.42	71 86	3,564 51
								500 00
12,653.81	820 00	474 93	1,294 93	22,298.12	12,875 39			1,202 86
6,342.10	330 00	145 65	475 65	6,900.63	978 15			673 00
60.00	10 00	1 50	11 50	18,164.82	22,641 02			2,406 32
65,374.39	36,090 00	14,014 82	50,104 82	868,429.61	535,651 27	86,619.81	2,243 40	57,256 97
thereon				86,613.81	2,243 40			
					14,014 82			
				955,049.42	551,909 49			

No. 2 B.—*Statement of public lands sold, of cash and bounty-land scrip received commissions received under sixth section of said act; also, of land located commissions received by registers and receivers on the value thereof, and commencing July 1, 1864, and ending June 30, 1865.*

States and Territories.	Land offices.	Quantity sold for cash and bounty-land scrip at and above the minimum price of \$1 25, and amount received for the same for the second half of the fiscal year ending June 30, 1865.		Exhibit of the amount paid in cash and in bounty-land scrip, respectively, for the second half of the fiscal year ending June 30, 1865, mentioned in first column.	
		Acres.	Amount.	Cash.	Bounty-land scrip
Ohio	Chillicothe	38 86	\$96 70	\$96 70	
Indiana	Indianapolis	160 00	200 00	200 00	
Illinois	Springfield	805 84	1, 779 60	1, 779 60	
Missouri	Boonville	5, 678 71	12, 350 46	12, 050 46	\$300 00
Do	Ironton	678 84	998 21	998 21	
Total		6, 357 55	13, 348 67	13, 048 67	300 00
Alabama	St. Stephen's				
Do	Greenville				
Do	Huntsville				
Do	Tuscaloosa				
Do	Elba				
Do	Demopolis				
Do	Montgomery				
Do	Centre				
Total					
Mississippi	Washington				
Do	Paulding				
Do	Jackson				
Do	Columbus				
Total					
Louisiana	New Orleans				
Do	Opelousas				
Do	Monroe				
Do	Greensburg				
Do	Natchitoches				
Total					
Michigan	Detroit	3, 579 48	4, 474 39	4, 242 70	231 69
Do	East Saginaw	6, 602 94	9, 154 90	9, 054 90	100 00
Do	Ionia	4, 434 82	6, 743 06	6, 543 06	200 00
Do	Marquette	6, 978 01	11, 730 17	11, 730 17	
Do	Traverse City	2, 717 43	3, 465 94	3, 465 94	
Total		24, 312 68	35, 568 46	35, 036 77	531 69
Arkansas	Batesville				
Do	Little Rock				
Do	Washington				
Do	Huntsville				
Do	Clarksville				
Do	Champagnole				
Total					
Florida	Tallahassee				
Do	St. Augustine				
Do	Newnansville				
Do	Tampa				
Total					

therefor, number of acres entered under the homestead law of May 20, 1862, of with scrip under the agricultural college and mechanic act of July 2, 1862, and statement of incidental expenses thereon, in the second half of the fiscal year

[illegible]

No. 2 B.—Statement of public lands sold, of cash and

States and Territories.	Land offices.	Quantity sold for cash and bounty-land scrip at and above the minimum price of \$1 25, and amount received for the same for the second half of the fiscal year ending June 30, 1865.		Exhibit of the amount paid in cash and in bounty-land scrip, respectively, for the second half of the fiscal year ending June 30, 1865, mentioned in first column.	
		Acres.	Amount.	Cash.	Bounty-land scrip.
Iowa.....	Fort Des Moines.....	2,752.41	\$3,442 58	\$3,442 58	
Do.....	Council Bluffs.....	124.33	156 17	156 17	
Do.....	Fort Dodge.....	912.61	1,206 11	1,206 11	
Do.....	Sioux City.....	36.19	55 89	55 89	
Total.....		3,825.54	4,860 75	4,860 75	
Wisconsin.....	Menasha.....	3,217.00	4,221 28	4,221 28	
Do.....	Falls of St. Croix.....	538.35	872 94	872 94	
Do.....	Stevens's Point.....	537.61	722 02	722 02	
Do.....	Bayfield.....	805.76	1,772 06	1,772 06	
Do.....	Eau Claire.....	1,851.28	2,364 14	2,364 14	
Do.....	La Crosse.....	3,253.19	4,351 17	4,351 17	
Total.....		10,203.19	14,303 61	14,303 61	
Minnesota.....	Taylor's Falls.....	439.92	550 58	550 58	
Do.....	St. Cloud.....	7,267.08	9,635 17	9,235 17	\$400 00
Do.....	Winnepago.....	3,509.34	5,642 47	5,542 47	100 00
Do.....	Minneapolis.....	3,607.82	7,007 52	7,007 52	
Do.....	Duluth.....				
Do.....	St. Peter.....	2,238.90	4,069 56	4,069 56	
Total.....		17,063.06	26,905 30	26,405 30	500 00
California.....	San Francisco.....	13,705.66	17,132 21	17,132 21	
Do.....	Los Angeles.....				
Do.....	Marysville.....	11,766.47	14,708 12	14,708 12	
Do.....	Humboldt.....	18,461.50	23,076 88	23,076 88	
Do.....	Stockton.....	6,418.09	8,022 64	8,022 64	
Do.....	Visalia.....	3,989.46	4,986 82	4,986 82	
Total.....		54,341.18	67,926 67	67,926 67	
Oregon.....	Oregon City.....	1,521.93	1,902 44	1,902 44	
Do.....	Roseburg.....	13,396.13	16,795 62	16,795 62	
Total.....		14,918.06	18,698 06	18,698 06	
Kansas.....	Topeka.....	1,443.11	1,803 86	1,803 86	
Do.....	Atchison.....				
Do.....	Humboldt.....	2,976.19	3,720 75	3,720 75	
Do.....	Junction City.....	1,295.60	1,633 67	1,633 67	
Total.....		5,714.90	7,158 28	7,158 28	
Nevada.....	Carson City.....	7,696.86	9,571 08	9,571 08	
Washington Territory.....	Olympia.....	10,620.15	13,275 18	13,275 18	
Do.....	Vancouver.....	7,366.29	9,207 86	9,207 86	
Total.....		17,986.44	22,483 04	22,483 04	
Nebraska Territory.....	Omaha City.....	2,584.76	3,270 67	3,270 67	
Do.....	Brownsville.....	1,933.30	2,416 61	2,416 61	
Do.....	Nebraska City.....	2,258.14	2,831 03	2,831 03	
Do.....	Dakota City.....	343.31	429 12	429 12	
Total.....		7,119.51	8,947 43	8,947 43	
New Mexico Territory.....	Santa Fé.....				
Colorado Territory.....		13,184.59	16,481 11	16,481 11	
Dakota Territory.....		429.05	536 32	536 32	

bounty-land scrip received therefor, &c.—Continued.

Quantity of land entered under homestead act of May 20, 1862, with aggregate of the \$10 payments required by section 2 of the act, and also with aggregate of commissions of registers and receivers under section 6 of said act, and of act approved March 21, 1864, amendatory thereof, for the second half of the fiscal year ending June 30, 1865.				Aggregate disposed of for cash, also bounty-land scrip and of cash under homestead act of 1862, and act amendatory.		Quantity of land loc'd in second half of fiscal year with scrip iss'd under agr'l col. and mech. act of July 2, 1862, and reg's and rec's com'ns on value of land sold.		Incidental expenses.
Area in homestead entries in acres.	Aggregate in \$10 payments.	Amount of registers' & receivers' com'ns.	Aggregate of \$10 payments and commis'ns.	Acres.	Amount.	Acres.	Amount.	Amount.
1,735.92	\$510 00	\$114 97	\$624 97	6,488.33	\$3,952 58			\$802 74
7,376.51	910 00	329 60	1,239 60	7,500.84	1,066 17			863 74
13,584.89	1,060 00	410 48	1,470 48	14,497.50	2,266 11			963 16
4,234.21	320 00	119 82	439 81	4,270.40	375 89			620 18
28,931.53	2,800 00	974 87	3,774 87	32,757.07	7,660 75			3,349 82
1,337.99	160 00	37 53	197 53	4,554.99	4,381 28			705 43
7,368.28	640 00	230 84	870 84	7,907.63	1,512 84			821 43
1,555.56	190 00	44 89	234 89	2,093.17	912 02			557 91
960.00	70 00	26 00	96 00	1,765.76	1,842 06			748 93
6,551.92	530 00	169 80	699 80	8,403.30	2,894 14			733 09
16,581.48	1,720 00	487 98	2,207 98	19,834.67	6,071 17	160.00	\$4 00	1,035 49
34,356.23	3,310 00	999 04	4,309 04	44,559.42	17,613 61	160.00	4 00	4,602 28
1,600.00	100 00	40 00	140 00	2,039.92	650 58			545 50
104,769.10	6,700 00	2,641 53	9,341 53	112,036.18	16,335 17	8,568.59	214 20	2,810 67
101,112.87	6,780 00	2,598 81	9,378 81	104,622.21	12,422 47	13,471.78	336 84	2,753 18
80,950.50	8,200 00	3,246 86	11,476 86	84,558.32	15,237 52	9,215.30	230 38	2,877 54
41,171.00	3,450 00	1,246 93	4,696 93	43,409.90	7,519 56	800.00	20 00	552 00
28,603.47	25,260 00	9,774 13	35,034 13	346,666.53	52,165 30	35,228.47	880 62	10,463 10
5,733.45	350 00	203 50	553 50	19,439.11	17,482 21			1,063 94
1,553.30	180 00	140 20	320 20	15,319.77	14,888 12			340 00
2,112.40	140 00	79 20	219 20	20,373.90	23,216 88			1,121 98
2,630.54	180 00	106 14	286 14	9,248.63	8,202 64			647 46
2,060.00	130 00	77 25	207 25	6,049.46	5,116 82			1,040 86
16,289.69	980 00	606 29	1,586 29	70,630.87	68,906 67			841 29
6,921.59	500 00	259 50	759 50	8,443.52	2,402 44			5,055 53
7,253.72	490 00	277 01	767 01	20,649.85	17,285 62			1,596 43
14,175.31	990 00	536 51	1,526 51	29,093.37	19,688 06			2,746 34
5,943.96	410 00	152 30	562 30	6,687.07	2,213 86	1,760.00	44 00	4,342 77
16,077.08	1,180 00	423 92	1,543 92	19,053.27	4,840 75	180.00	4 00	917 93
13,117.57	1,040 00	388 55	1,428 55	14,413.17	2,673 67	480.00	12 00	669 37
34,438.61	2,570 00	964 77	3,534 77	40,153.51	9,728 28	2,400.00	60 00	874 39
				7,696.86	9,571 08			2,461 69
6,926.29	440 00	260 09	700 09	17,546.44	13,715 18			802 88
9,909.40	580 00	345 34	925 34	16,575.69	9,787 86			1,099 99
16,135.69	1,020 00	605 43	1,625 43	34,122.13	23,503 04			1,832 76
16,156.77	1,550 00	606 35	2,156 35	18,741.53	4,820 67	3,040.00	76 00	2,932 75
25,835.92	1,730 00	645 90	2,375 90	27,769.22	4,146 61	2,065.92	51 64	1,262 62
26,021.27	1,770 00	696 05	2,466 05	28,279.41	4,601 03	3,993.24	99 84	1,224 42
2,256.40	150 00	56 43	206 43	2,599.71	579 12			1,476 75
70,270.36	5,200 00	2,006 73	7,206 73	77,389.87	14,147 43	9,099.16	227 48	835 37
								4,799 16
								500 00
11,544.18	750 00	432 66	1,182 66	24,728.77	17,231 11			1,433 12
1,389.40	210 00	87 24	297 24	3,758.45	746 32			595 14

No. 2 B.—Statement of public lands sold, of cash and

RECAPIT

States and Territories.	Quantity sold for cash and bounty-land scrip at and above the minimum price of \$1.25, and amount received for the same for the second half of the fiscal year ending June 30, 1865.		Exhibit of the amount paid in cash and in bounty-land scrip, respectively, for the second half of the fiscal year ending June 30, 1865, mentioned in first column.		Quantity of land entered under 1862, with aggregate of the section 2 of the act, and also sales of registers and rec act, and of act approved thereof, for the second ing June 30, 1865.	
	Acres.	Amount.	Cash.	Bounty-land scrip.	Area in homestead entries, in acres.	Aggregate in \$10 payments.
Ohio.....	38.86	\$96 70	\$96 70		38.91	\$10 00
Indiana.....	160.00	200 00	200 00			
Illinois.....	805 84	1, 779 60	1, 779 60			
Missouri.....	6, 357.55	13, 348 67	13, 048 67	\$300 00	64, 535.18	6, 710 00
Alabama.....						
Mississippi.....						
Louisiana.....						
Michigan.....	24, 312.68	35, 568 46	35, 036 77	531 69	41, 509.97	3, 300 00
Arkansas.....						
Florida.....						
Iowa.....	3, 825.54	4, 860 75	4, 860 75		28, 931.53	2, 800 00
Wisconsin.....	10, 203.19	14, 303 61	14, 303 61		34, 356.23	3, 310 00
Minnesota.....	17, 063.06	26, 905 30	26, 405 30	500 00	329, 603.47	25, 260 00
California.....	54, 341.18	67, 926 67	67, 926 67		16, 289.69	980 00
Oregon.....	14, 918.06	18, 698 06	18, 698 06		14, 175.31	990 00
Kansas.....	5, 714.90	7, 158 28	7, 158 28		34, 438.61	2, 570 00
Nevada.....	7, 696.86	9, 571 08	9, 571 08			
Washington Territory.....	17, 986.44	22, 483 04	22, 483 04		16, 135.69	1, 020 00
Nebraska.....do.....	7, 119.51	8, 947 43	8, 947 43		70, 270.36	5, 200 00
New Mexico.....do.....					11, 544.18	750 00
Colorado.....do.....	13, 184.59	16, 481 11	16, 481 11		3, 329.40	210 00
Dakota.....do.....	429.05	536 32	536 32			
Total.....	184, 157.31	248, 865 08	247, 533 39	1, 331 69	665, 158.53	53, 110 00

To which add number of acres located with agricultural scrip and commissions received
Also, commissions received on homestead entries, as shown in column No. 3 of section 3.

Total.....

bounty-land scrip received therefor, &c.—Continued.

ULATION.

Under homestead act of May 20, \$10 payments required by sec- with aggregate of commis- sioners under section 6 of said March 21, 1864, amendatory half of the fiscal year end-		Aggregate disposed of for cash, also bounty-land scrip and of cash under homestead act of 1862, and act amendatory.		Quantity of land located in second half of fiscal year with scrip issued under agr'l col. and mech. act of July 2, 1862, and registers' and receivers' commissions on value of land sold.		Incidental ex- penses.
Amount of registers' and receivers' commissions.	Aggregate of \$10 payments and commis- sions.	Acres.	Amount.	Acres.	Amount.	Amount.
\$ 97	\$10 97	77.77	\$106 70			\$640 30
		160.00	200 00			551 25
		805.84	1,779 60			786 85
2, 074 99	8, 784 99	70, 892.73	20, 058 67	1, 600.00	\$40 00	2, 293 17
1, 173 73	4, 473 73	65, 822.65	38, 868 46	38, 953.13	976 00	7, 203 27
974 87	3, 774 87	32, 757.07	7, 660 75			3, 349 82
999 04	4, 309 04	44, 559.42	17, 613 61	160.00	4 00	4, 602 28
9, 774 13	35, 034 13	348, 666.53	52, 165 30	35, 228.47	880 62	10, 463 10
606 29	1, 586 29	70, 630.87	68, 906 67			5, 055 53
538 51	1, 526 51	29, 093.37	19, 688 06			4, 342 77
964 77	3, 534 77	40, 153.51	9, 728 28	2, 400.00	60 00	2, 461 69
		7, 696.86	9, 571 08			802 88
605 43	1, 625 43	34, 122.13	23, 503 04			2, 932 75
2, 006 73	7, 206 73	77, 389.87	14, 147 43	9, 099.16	227 48	4, 799 16
						500 00
632 66	1, 182 66	24, 728.77	17, 231 11			1, 433 12
87 24	297 24	3, 758.45	746 32			595 14
20, 237 36	73, 347 36	849, 315.84	301, 975 08	87, 440.76	2, 188 10	52, 813 08
Acres.....		87, 440 76	2, 188 10			
			20, 237 26			
		936, 756 60	324, 400 44			

No. 3.—*Summary for the fiscal year ending June 30, 1865, showing the homestead laws of May 20, 1862, and March 21, 1864, with aggregate of rural college and mechanic scrip under act of July 2, 1862.*

States and Territories.	Quantity sold for cash and bounty-land scrip at and above the minimum price of \$1 25, and amount received for the same for the fiscal year ending June 30, 1865.		Exhibit of the amount paid in cash and bounty-land scrip, respectively, for the fiscal year ending June 30, 1865, mentioned in first column.		Quantity of land entered un 1862, with aggregate of second section of the act, missions of registers and act, and of act approved thereof, for the fiscal year	
	Acres.	Amount.	Cash.	Bounty-land scrip.	Area of homestead entries, in acres.	Aggregate in \$10 payments.
Ohio.....	122.53	\$355 88	\$355 88		118.91	\$20 00
Indiana.....	160.00	200 00	200 00			
Illinois.....	1,917.66	3,522 97	3,217 86	\$305 11	74.25	30 00
Missouri.....	12,337.23	21,708 33	21,408 32	300 00	79,335.18	7,900 00
Alabama.....						
Mississippi.....						
Louisiana.....						
Michigan.....	184,383.12	253,084 88	252,291 52	793 36	94,933.53	7,410 00
Arkansas.....						
Florida.....						
Iowa.....	4,866.05	6,411 30	6,411 30		65,108.70	5,830 00
Wisconsin.....	37,161.48	53,656 29	52,971 29	685 00	76,088.61	7,220 00
Minnesota.....	55,692.88	84,002 33	83,102 33	900 00	527,234.83	39,690 00
California.....	89,232.67	111,589 74	111,589 74		41,822.49	2,650 00
Oregon.....	38,195.67	47,770 08	47,770 08		39,427.15	2,010 00
Kansas.....	8,281.96	10,496 11	10,222 57	273 54	52,972.33	3,930 00
Nevada.....	25,801.68	32,202 10	32,202 10		60.00	10 00
Washington Territory.....	60,806.97	75,562 43	75,562 43		34,576.99	2,200 00
Nebraska.....	14,476.13	18,142 95	18,142 95		114,850.46	8,210 00
New Mexico.....do.....						
Colorado.....do.....	22,828.90	28,536 50	28,536 50		24,197.99	1,570 00
Dakota.....do.....	947.58	1,184 47	1,184 47		9,711.50	540 00
Total.....	557,212.53	748,426 35	745,169 34	3,257 01	1,160,532.92	89,300 00

number of acres disposed of for cash, with bounty-land scrip, by entry under the \$10 homestead payments, homestead commissions; also, locations with agricul-

der homestead act of May 20, \$10 payments required by the and also with aggregate of com- receivers under section 6 of said March 21, 1864, amendatory ending June 30, 1865.		Quantity of land located in the fiscal year with scrip issued under the agricultural college and mechanic act of July 2, 1862, and registers' and receivers' commissions on the value of the land sold.		Aggregate disposed of for cash, also bounty-land scrip, agricultural college scrip, cash under homestead act of 1862, and act amendatory.		Incidental expenses.
Amount of registers' and receivers' commissions.	Aggregate in \$10 payments and commissions.	Acres.	Amount.	Acres.	In value equal to—	Amount.
\$2 97	\$22 97	241.44	\$375 88	.....	.....	\$1,250 14
3 72	23 72	160.00	200 00	.....	.....	1,077 50
2,445 07	10,345 07	1,991.91	3,542 97	.....	.....	1,587 48
.....	.....	91,672.41	29,608 32	1,600.00	\$40 00	4,196 40
.....
2,616 13	10,026 13	279,336.65	260,494 88	82,386.93	2,139 80	16,125 42
.....
2,098 05	7,918 05	69,974.75	12,231 30	800.00	20 00	6,807 72
2,185 26	9,405 26	113,250.09	60,876 29	4,316.42	107 92	11,257 60
15,241 75	54,931 75	582,927.71	123,692 33	67,546.92	1,688 52	21,108 54
1,538 19	4,188 19	131,055.16	114,239 74	.....	.....	10,350 72
1,123 45	3,133 45	77,622.82	49,780 08	.....	.....	8,976 66
1,487 48	5,417 48	61,254.31	14,426 11	4,476.72	111 92	4,934 02
1 50	11 50	25,861.68	32,219 10	.....	.....	3,209 20
1,246 39	3,446 39	95,383.96	77,769 43	960.00	24 00	5,920 86
3,121 74	11,331 74	129,326.59	26,352 95	11,973.58	299 34	8,363 67
.....	.....	.....	.....	.....	.....	1,000 00
907 59	2,477 59	47,026.89	30,106 50	.....	.....	2,635 98
232 89	772 89	10,659.08	1,724 47	.....	.....	1,268 14
.....
34,252 18	123,452 18	1,717,745.45	837,626 35	174,060.57	4,431 50	110,070 05

No. 4.—Statement exhibiting the quantity of land selected for the several States under the acts of Congress approved March 2, 1849, September 28, 1850, and March 12, 1860, up to and ending September 30, 1865.

States.	Fourth quarter of 1864.	First quarter of 1865.	Second quarter of 1865.	Third quarter of 1865.	Year end'g June 30, 1865.	Total since date of grant.
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Ohio						54,438. 14
Indiana						1,354,732. 50
Illinois						3,267,470. 65
Missouri						4,604,448. 75
Alabama						477,514. 44
Mississippi						3,070,645. 29
Louisiana, (act 1849)						10,774,978. 82
Louisiana, (act 1850)						543,339. 13
Michigan						7,273,724. 72
Arkansas						8,652,432. 93
Florida						11,790,637. 46
Wisconsin						3,449,238. 28
Iowa						2,579,976. 29
California						
Oregon						
Minnesota						753,160. 00
Total						56,648,837. 40

GENERAL LAND OFFICE, September 30, 1865.

No. 5.—Statement exhibiting the quantity of land approved to the several States under the acts of Congress approved March 2, 1849, September 28, 1850, and March 12, 1860, up to and ending September 30, 1865.

States.	Fourth quarter of 1864.	First quarter of 1865.	Second quarter of 1865.	Third quarter of 1865.	Year end'g June 30, 1865.	Total since date of grant.
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Ohio						25,640. 71
Indiana						1,251,115. 51
Illinois						3,267,470. 65
Missouri						4,604,448. 75
Alabama						479,514. 44
Mississippi						3,070,645. 29
Louisiana, (act 1849)						10,774,978. 82
Louisiana, (act 1850)						543,339. 13
Michigan				71,332. 40		5,554,164. 80
Arkansas						7,283,763. 13
Florida						10,901,007. 76
Wisconsin				105,424. 81		2,302,257. 15
Iowa						631,892. 38
California						
Oregon						
Minnesota			571,429. 24	145,305. 50	571,429. 24	716,734. 74
Total			571,429. 24	322,062. 71	571,429. 24	45,422,327. 48

GENERAL LAND OFFICE, September 30, 1865.

No. 6.

Statement exhibiting the quantity of land patented to the several States under the acts of Congress approved September 28, 1850, and March 12, 1860; and also the quantity certified to the State of Louisiana under act approved March 2, 1849.

States.	Fourth quarter of 1864.	First quarter of 1865.	Second quarter of 1865.	Third quarter of 1865.	Year end'g June 30, 1865.	Total since date of grant.
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Ohio						25,640.71
Indiana						1,256,367.56
Illinois				3,296.52		1,276,203.48
Missouri				67,544.31		2,643,053.04
Mississippi						2,681,383.16
Louisiana, (act 1849)						199,598.07
Louisiana, (act 1850)						8,192,305.64
Michigan				70,314.25		5,663,315.77
Arkansas						6,011,357.03
Florida						10,644,468.04
Wisconsin						2,241,000.55
Iowa				71,965.83		*668,370.95
California						
Oregon						
Minnesota				670,773.31		670,773.31
Total				883,894.22		42,173,837.31

*89,616.26 acres of this contained in indemnity patent under act of March 2, 1855.

GENERAL LAND OFFICE, September 30, 1865.

No. 7.

Condition of bounty land business under acts of 1847, 1850, 1852, and 1855, showing the issue and locations from the commencement of the operations under said acts to June 30, A. D. 1865.

ACT OF 1847.

Grade of warrants.	Number issued.	Acres embraced thereby.	Number located.	Acres embraced thereby.	Number outstanding.	Acres embraced thereby.
160 acres	80,627	12,900,320	75,300	12,048,000	5,327	852,320
40 acres	7,582	303,280	6,245	249,800	1,337	53,840
Total	88,209	13,203,600	81,545	12,297,800	6,664	906,160

ACT OF 1850.

160 acres	27,437	4,389,920	26,541	4,246,560	896	143,360
40 acres	57,707	4,616,560	52,300	4,184,000	5,407	432,560
40 acres	103,961	4,158,440	91,196	3,647,840	12,765	510,600
Total	189,105	13,164,920	170,037	12,078,400	19,068	1,086,520

No. 7.—*Condition of bounty land business under acts of 1847, &c.*—Continued.

ACT OF 1852.

160 acres.....	1,222	195,520	929	148,640	293	46,880
80 acres.....	1,698	135,840	1,383	110,640	315	25,200
40 acres.....	9,063	362,520	7,566	302,640	1,497	59,880
Total.....	11,983	693,880	9,878	561,920	2,105	131,960

ACT OF 1855.

160 acres.....	104,918	16,786,880	90,096	14,415,360	14,822	2,371,520
120 acres.....	96,531	11,583,720	84,840	10,180,800	11,691	1,402,920
100 acres.....	6	600	5	500	1	100
80 acres.....	49,218	3,937,440	43,924	3,513,920	5,294	423,520
60 acres.....	357	21,420	274	16,440	83	4,980
40 acres.....	532	21,280	428	17,120	104	4,160
10 acres.....	5	50	3	30	2	20
Total.....	251,567	32,351,390	219,570	28,144,170	31,997	4,207,220

SUMMARY.

Act of 1847....	88,209	13,203,600	81,545	12,297,800	6,664	906,160
Act of 1850....	189,105	13,164,920	170,037	12,078,400	19,068	1,086,520
Act of 1852....	11,983	693,880	9,878	561,920	2,105	131,960
Act of 1855....	251,567	32,351,390	219,570	28,144,170	31,997	4,207,220
Total.....	540,864	59,413,790	481,030	53,082,290	59,834	6,331,860

DEPARTMENT OF THE INTERIOR,

General Land Office, September 25, 1865.

SIR: I have the honor herewith to submit estimates of appropriations required by this branch of the public service for the fiscal year ending June 30, 1867.

1. Estimates of salaries in this office. We have included in this estimate the whole number of clerks authorized by the several acts of Congress, and the amount estimated is the same as that called for and appropriated last year, less \$3,000 by limitation of the act of June 25, 1864.—(Laws, page 160.)

2. Estimates of salaries and commissions of district land officers, and incidental expenses of district land offices. We have not asked for appropriations for this particular branch of the service since the year 1853, having depended on unexpended balances of former appropriations, but such balances are now so reduced that we deem it necessary to make the estimates herewith submitted.

3. The estimates of appropriations for contingent expenses of this office, for expenses of depositing the public moneys, for refunding purchase-money for lands illegally sold, and for claims of certain States for the two, three, and five per cents. are omitted, existing balances being thought amply sufficient to meet the requirements of such service for the fiscal year ending June 30, 1867.

Estimates for the surveying service are submitted in a separate report.

I am, very respectfully, your obedient servant,

JOSEPH S. WILSON,
Acting Commissioner.

Hon. JAMES HARLAN,
Secretary of the Interior.

No. 8.

Estimates of appropriations required for the office of the Commissioner of the General Land Office for the fiscal year ending June 30, 1867.

Heads or titles of appropriations.	Estimates of appropriations required for the service of the fiscal year ending June 30, 1867.	Estimates of balances of appropriations unexpended on the 30th June, 1866, which in part may be applied to the service of the next fiscal year.	Appropriations for the service of the fiscal year ending June 30, 1866.
For salary of Commissioner of the General Land Office, per act of July 4, 1836, (5 Laws, p. 111, sec. 10).....	\$3, 000	.....	.....
For salary of recorder, per same act and act of 3d March, 1837, (5 Laws, pp. 111 and 164).....	2, 000	.....	.....
For salary of chief clerk, per act of 3d March, 1853, (10 Laws, p. 211).....	2, 000	.....	.....
For salary of three principal clerks, of public lands, private land claims, and surveys, per act of 4th July, 1836, at \$1,800 each, (5 Laws, p. 111).....	5, 400	.....	.....
For salary of three clerks of class four, per act of 3d March, 1853, (— Laws, p. 211, sec. 3).....	5, 400	.....	.....
For salary of twenty-three clerks of class three, per same act and act of 22d April, 1854, (10 Laws, pp. 211 and 276).....	36, 800	.....	.....
For salary of forty clerks of class two, per same acts....	56, 000	.....	.....
For salary of forty clerks of class one, per same acts	48, 000	.....	.....
For salary of draughtsman at \$1,600, and assistant draughtsman at \$1,400, per act of 4th July, 1836, (5 Laws, p. 112,) and act of 22d April, 1854, (— Laws, vol. 10, p. 276)	3, 000	.....	.....
For salary of five messengers, per act of 4th July, 1836, (5 Laws, p. 112,) and joint resolution of 18th August, 1856, (11 Laws, p. 145,) viz: one messenger at \$340, and four messengers at \$700 each.....	3, 640	.....	.....
For salary of two packers at \$600 each, per act of 4th July, 1836, (5 Laws, p. 112,) act 30th September, 1850, (9 Laws, p. 527,) and joint resolution of 18th August, 1856, (11 Laws, p. 145).....	1, 200	.....	.....
For salary of seven laborers, per joint resolution of 18th August, 1856, (11 Laws, p. 145,) and general appropriation act of June 23, 1860	4, 200	.....	.....
For salary of seven night watchmen, per same resolution and same act	4, 200	.....	.....
For salary of one day watchman, per act of 2d June, 1856, (11 Laws, p. 301).....	600	.....	.....
Total.....	175, 440	.....	\$178, 200

Additional appropriations under military act of March 3, 1855, and heretofore provided per act of August 18, 1856, making appropriations, &c., and subsequent appropriation laws.

Heads or titles of appropriations.	Estimates of appropriations required for the service of the fiscal year ending June 30, 1857.	Estimates of balances of appropriations unexpended on 30th June, 1856, which in part may be applied to the service of next fiscal year.	Appropriations for the service of the fiscal year ending June 30, 1856.
For salary of one principal clerk as director.....	\$2,000	.....	.....
For salary of one clerk of class three	1,600	.....	.....
For salary of four clerks of class two	5,600	.....	.....
For salary of forty clerks of class one.	48,000	.....	.....
For salary of two laborers, per joint resolution of August 18, 1856, (11 Laws, p. 145).....	1,200	.....	.....
Total.....	58,400	.....	\$58,640

Provided that the Secretary of the Interior, at his discretion shall be, and he is hereby, authorized to use any portion of said appropriation for piece-work or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.

GENERAL LAND OFFICE, September 25, 1865.



REPORT OF THE SECRETARY OF THE INTERIOR.

65

Estimates of appropriations required to meet expenses of collecting the revenue from the sales of public lands in the several States and Territories for the fiscal year ending June 30, 1867.

States.	Land districts.	Salaries and commissions.	Incidental expenses.	Totals.
Ohio.....	Chillicothe.....	\$1,200	\$100	\$1,300
Indiana.....	Indianapolis.....	1,200	100	1,300
Illinois.....	Springfield.....	1,200	100	1,300
Missouri.....	Booneville.....	3,000	500	12,200
	Ironton.....	3,000	200	
	For districts that may be reorganized.	3,000	500	
		5,000	500	
Alabama.....	Montgomery.....	10,000	1,000	16,500
	For districts that may be reorganized.	5,000	500	16,500
Mississippi.....	Jackson.....	10,000	1,000	
	For districts that may be reorganized.	5,000	500	16,500
Louisiana.....	New Orleans.....	10,000	1,000	
	For districts that may be reorganized.	5,000	500	16,500
Arkansas.....	Little Rock.....	10,000	1,000	
	For districts that may be reorganized.	5,000	500	11,000
Florida.....	Tallahassee.....	5,000	500	
	For districts that may be reorganized.	2,000	200	11,000
Michigan.....	Detroit.....	2,000	200	
	East Saginaw.....	2,000	200	
	Ionia.....	2,000	200	
	Marquette.....	2,000	200	8,800
Iowa.....	Traverse City.....	2,000	200	
	Fort Des Moines.....	2,000	200	
	Council Bluffs.....	2,000	200	
	Fort Dodge.....	2,000	200	13,200
	Sioux City.....	2,000	200	
Wisconsin.....	Menasha.....	2,000	200	
	Falls of St. Croix.....	2,000	200	
	Stevens's Point.....	2,000	200	30,700
	La Crosse.....	2,000	200	
	Bayfield.....	2,000	200	
	Eau Claire.....	2,000	200	
California.....	San Francisco.....	6,000	1,000	30,700
	Marysville.....	6,000	500	
	Humboldt.....	4,000	200	
	Stockton.....	6,000	500	
	Wisalia.....	2,500	200	16,200
Minnesota.....	Taylor's Falls.....	2,500	200	
	St. Cloud.....	2,500	200	
	Winnebago City.....	2,500	200	
	Minneapolis.....	2,500	200	10,600
	St. Peter.....	2,500	200	
	Du Luth.....	2,500	200	
Oregon.....	Oregon City.....	5,000	300	
	Roseburg.....	5,000	300	10,600
Washington Ter.	Olympia.....	5,000	300	
	Vancouver.....	2,500	200	8,100
Kansas.....	Topeka.....	2,500	200	
	Humboldt.....	2,500	200	8,800
	Junction City.....	2,000	200	
Nebraska Ter.	Omaha City.....	2,000	200	8,800
	Brownsville.....	2,000	200	
	Nebraska City.....	2,000	200	5,500
	Dakota City.....	5,000	500	
Nevada.....	Carson City.....	2,000	300	2,300
New Mexico Ter.	Santa Fé.....	3,000	300	3,300
Colorado Ter.	Denver City.....	3,000	300	3,300
Dakota Territory.	Vermillion.....			
Total estimates.....		206,100	19,400	225,500

GENERAL LAND OFFICE, September 25, 1865.

No. 9.

Estimates of appropriations for the surveying department for the fiscal year ending June 30, 1867.

For compensation of surveyors general and their clerks, in addition to the unexpended balances of former appropriations for the same objects.	Objects of appropriation.	Estimated by the surveyor general.	Estimates of appropriations required for the service of the fiscal year ending June 30, 1867.	Estimates of the balances of appropriations unexpended June 30, 1866, which in part may be applied to the service of the next fiscal year.	Appropriations for the service of the fiscal year ending June 30, 1866.
1. For compensation of the surveyor general of Wisconsin and Iowa, per act of August 8, 1846—9 Statutes, page 79, section 1.		\$2,000 00	\$2,000 00		\$2,000 00
2. For compensation of the clerks in the office of the surveyor general of Wisconsin and Iowa, per act of August 8, 1846—9 Statutes, page 79, section 1.		2,400 00	2,400 00		6,300 00
3. For compensation of the surveyor general of Minnesota, per act of May 18, 1796—1 Statute, page 464, section 10, and act of March 3, 1857—11 Statutes, page 212, section 1.		2,000 00	2,000 00		2,000 00
4. For compensation of the clerks in the office of the surveyor general of Minnesota, per act of May 9, 1856—5 Statutes, page 26, section 1, and act of March 3, 1857—11 Statutes, page 212, section 1.		6,300 00	6,300 00		6,300 00
5. For compensation of the surveyor general of the Territories of Dakota and Montana, per act of March 2, 1857—12 Statutes, page 214, section 17, and act of July 2, 1864—section 8, Laws 1862-64, page 353.		2,000 00	2,000 00		2,000 00
6. For compensation of the clerks in the office of the surveyor general of Dakota and Montana, per act of March 2, 1857—12 Statutes, page 214, section 17, and act of July 2, 1864—section 8, Laws 1862-64, page 353.		6,300 00	4,300 00	\$2,000 00	6,300 00
7. For compensation of the surveyor general of Kansas and Nebraska, per act of July 22, 1854—10 Statutes, page 309, section 10.		2,000 00	2,000 00		2,000 00
8. For compensation of the clerks in the office of the surveyor general of Kansas and Nebraska, per act of July 22, 1854—10 Statutes, page 309, section 10.		21,000 00	6,300 00	1,300 00	6,300 00
9. For compensation of the surveyor general of Colorado, Utah, and Idaho, per act of February 28, 1861—12 Statutes, page 176, section 17, act of March 14, 1862—12 Statutes, page 369, section 4, and act of July 2, 1864—section 8, Laws 1862-64, page 353.		3,000 00	3,000 00		3,000 00
10. For compensation of the clerks in the office of the surveyor general of Colorado, Utah, and Idaho, per act of February 28, 1861—12 Statutes, page 176, section 17, act of March 14, 1862—12 Statutes, page 369, section 4, and act of July 2, 1864—section 8, Laws 1862-64, page 353.		4,800 00	4,000 00	800 00	4,000 00
11. For compensation of the surveyor general of Mexico and Arizona, per act of July 22, 1854—10 Statutes, page 308, section 1, and act of July 2, 1864—section 8, Laws 1862-64, page 353.		3,000 00	3,000 00		3,000 00
12. For compensation of the clerks in the office of the surveyor general of New Mexico and Arizona, per act of July 22, 1854—10 Statutes, page 308, section 1, and act of July 2, 1864—section 8, Laws 1862-64, page 353.		1,750 00		7,000 00	4,000 00
13. For compensation of the surveyor general of California and Nevada, per act of May 30, 1862—12 Statutes, page 410, section 9, and act of March 2, 1865—Statutes 1864-65, page 460.		3,000 00	3,000 00		3,000 00
14. For compensation of the clerks in the office of the surveyor general of California and Nevada, per act of March 2, 1863—10 Statutes, page 245, section 2.		15,400 00	11,000 00		12,350 00

15. For compensation of the surveyor general of Oregon, per act of May 20, 1850—19 Statutes, page 410, section 10	2,500 00	2,500 00	5,000 00
16. For compensation of the clerk in the office of the surveyor general of Oregon, per act of May 20, 1850—19 Statutes, page 406, section 2	4,000 00	4,000 00	4,000 00
17. For compensation of the surveyor general of Washington Territory, per act of May 20, 1850—19 Statutes, page 410, section 10	2,500 00	2,500 00	2,500 00
18. For compensation of the clerk in the office of the surveyor general of Washington Territory, per act of March 3, 1853—10 Statutes, page 674, section 36	6,100 00	4,000 00	4,000 00
19. For compensation of the recorder of land titles in Missouri, per act March 2, 1850—9 Statutes, page 386	2,000 00	500 00	500 00
20. For compensation of a translator in the office of the surveyor general of New Mexico and Arizona		1,929 00	2,000 00
		63,200 00	12,929 00

For contingent expenses of the offices of the surveyors general of different surveying districts, in addition to the unexpended balance of former appropriations for the same objects.

21. For rent of office for the surveyor general of the Territories of Dakota and Montana, fuel, books, stationery, and other incidental expenses, per act of March 2, 1861—12 Statutes, page 244, section 17	2,000 00	2,000 00	400 00	600 00
22. For rent of office for the surveyor general of Kansas and Nebraska, fuel, books, stationery, and other incidental expenses, per act of July 22, 1854—10 Statutes, pages 310, section 10	4,000 00	2,000 00	1,400 00	1,500 00
23. For rent of office for the surveyor general of the Territories of Colorado, Utah, and Idaho, fuel, books, stationery, and other incidental expenses, per act of February 28, 1861—19 Statutes, page 176, section 17	2,600 00	1,500 00	900 00	1,000 00
24. For rent of office for the surveyor general of New Mexico and Arizona, fuel, books, stationery, and other incidental expenses, per act of July 22, 1854—10 Statutes, page 308, section 1	1,200 00		3,800 00	
25. For rent of office for the surveyor general of California and Nevada, fuel, books, stationery, and other incidental expenses, per act of March 3, 1853—9 Statutes, page 245, section 2	6,000 00	5,000 00	1,500 00	6,000 00
26. For rent of office for the surveyor general of Oregon, fuel, books, stationery, and other incidental expenses, per act September 27, 1850—9 Statutes, page 496, section 2	1,800 00	1,000 00	1,000 00	700 00
27. For rent of office for the surveyor general of Washington Territory, fuel, books, stationery, and other incidental expenses	2,500 00	2,000 00		1,000 00
		13,500 00		

EXPLANATION OF THE FOREGOING ESTIMATES.

12. No estimate is submitted for the reason that existing balances of former appropriations will be sufficient for that purpose.
20 and 24. No estimate is submitted for the reason that existing balances of former appropriations will be sufficient for that purpose.
21, 22, 23, 26, and 27. The organic acts of the respective districts provide \$1,000. The amount having proved insufficient, special estimates have been submitted from year to year, and appropriations made accordingly.

GENERAL LAND OFFICE, September 30, 1865.

No. 10.

Estimates of appropriations required for surveying the public lands for the fiscal year ending June 30, 1867.

Objects of appropriation.	Estimated by the surveyor General.	Estimates of appropriations required for the ending June 30, 1867.	Estimates of the balances expended June 30, 1866, which in part may be applied to the service of the next fiscal year.	Appropriations for the service of the fiscal year ending June 30, 1866.
1. For surveying the public lands in Minnesota, at rates not exceeding \$10 per lineal mile for standard lines, \$7 for township, and \$6 for section lines.	\$20,000 00	\$20,000 00		
2. For surveying the public lands in Dakota Territory, at rates not exceeding \$10 per mile for standard lines, \$7 for township, and \$6 for section lines.	30,000 00	15,000 00		
3. For surveying the public lands in Montana Territory, at rates not exceeding \$20 per lineal mile for standard lines, \$12 for township, and \$10 for section lines.	20,000 00	25,000 00		
4. For surveying the public lands in Nebraska Territory, at rates not exceeding \$10 per lineal mile for standard lines, \$6 for township, and \$5 for section lines.	104,520 00	20,000 00		
5. For surveying the public lands in Kansas, at rates not exceeding \$10 per lineal mile for standard lines, \$6 for township, and \$5 for section lines.	103,032 00	20,000 00		
6. For surveying the public lands in Colorado Territory, at rates not exceeding \$10 per lineal mile for standard lines, \$8 for township, and \$7 for section lines.	44,640 00	20,000 00		
7. For surveying the public lands in Nevada, at rates not exceeding \$15 per lineal mile for standard lines, \$12 for township, and \$10 for section lines.	40,000 00	25,000 00		
8. For surveying the public lands in Idaho Territory, at rates not exceeding \$15 per lineal mile for standard lines, \$12 for township, and \$10 for section lines.		10,000 00	\$10,000 00	
9. For surveying the public lands in New Mexico, at rates not exceeding \$13 per lineal mile for standard lines, \$11 for township, and \$9 for section lines.	7,500 00		10,703 00	
10. For surveying the public lands in Arizona, at rates not exceeding \$15 per lineal mile for standard lines, \$12 for township, and \$10 for section lines.	10,000 00		14,500 00	
11. For surveying the public lands in California, at rates not exceeding \$15 per lineal mile for standard lines, \$12 for township, and \$10 for section lines.	60,000 00	25,000 00		
12. For surveying the public lands in Oregon, at rates not exceeding \$15 per lineal mile for standard lines, \$12 for township, and \$10 for section lines.	45,150 00	15,000 00		
13. For surveying the public lands in Washington Territory, at rates not exceeding \$15 per lineal mile for standard lines, \$12 for township, and \$10 for section lines.	33,660 00	10,000 00		
14. For surveying the public lands in Utah Territory.				
15. For surveying Indian and other reservations under treaty stipulations, at not exceeding \$15 per mile for out-boundaries, \$10 per mile for township, and \$8 for section lines. This duty having been transferred from the Office of Indian Affairs, by act of April 8, 1864, to the General Land Office, and although estimated for by this branch of the service, is not a liability of the land administration, but of the Indian service.				100,000 00

REPORT OF THE SECRETARY OF THE INTERIOR.

16. For the survey of the forty second parallel of north latitude, as far as it constitutes the boundary between the States of California and Oregon, estimated \$60 million, at an estimated cost of \$60 per mile	15, 000 00
17. For surveying New Mexico, estimated 300 miles, at not exceeding \$60 per mile	10, 000 00
	25, 000 00

EXPLANATION OF THE FOREGOING ESTIMATES.

1. The \$20, 000 herein estimated is to be applied to the survey of pine lands and other public lands required for immediate settlement.
2. The \$15, 000 is estimated for the extension of the lines of public surveys to Pembina settlement, on the Red river of the North; along the Big Sioux river and Missouri river, west of the Yankton reserve; and such other localities as shall be required for actual settlement.
3. \$25, 000 is estimated for the survey of public lands already settled upon, and likely to be required for agricultural purposes, in the vicinity of mining regions.
4. \$20, 000 } is estimated for the survey of public lands along the Republican and Platte rivers. The surveys are chiefly necessitated by the obligations on the part of the government along the line of the Pacific railroad, preparatory to the allotment of lands to that improvement, the progress of which is stimulated by the vast mineral discoveries in the territories traversed by its contemplated line; also on Arkansas river and Smoky Hill fork, along the overland mail and express route.
5. \$20, 000 } crises in the territories already occupied, or likely to be required for settlement.
6. \$20, 000 is estimated for the survey of public lands on the South fork of the Platte river; in the Middle and South Parks on the headwaters of the South Platte and Green rivers; and on those of the Rio Grande already occupied, or likely to be required for settlement.
7. \$20, 000 is estimated for the survey of public lands on the Truckee river. (For explanation of No. 7, see those numbered 4 and 5.)
8. \$10, 000 only is submitted for surveys in Idaho Territory, there existing \$10, 000 of former appropriation, which will be adequate for the service.
9. No estimate is submitted for the extension of the lines of public surveys in New Mexico, there existing an unexpended balance of former appropriations, \$10, 700, which may be used in case any surveys will be required in addition to those already made, embracing lands not yet disposed of.
10. No estimate is submitted for the extension of the lines of public surveys in Arizona, there existing an unexpended balance of former appropriations, \$14, 500, which is deemed sufficient for the establishment of standard lands on Rio Gila, Santa Cruz, Salinas, San Francisco, and Williams rivers.
11. No estimate is submitted for the surveys along the Pacific railroad and other localities where actual settlements require the surveys.
12. \$15, 000 is estimated for the surveys in the eastern and southeastern portions of Oregon, where a large increase of population, induced by the rich mineral discoveries, requires additional surveys.
13. \$10, 000 is estimated for the surveys east and west of the Cascade mountains in Washington Territory, on the Columbia river, and on the Admiralty inlet; also on Shoalwater bay, and on the plains actually required for settlement.
14. No estimate is submitted for surveys in Utah Territory, as it is deemed that none will be required during the fiscal year ending June 30, 1867.
15. \$100, 000 is estimated to meet the requirements contemplated by the 6th section of the act of Congress approved April 8, 1864—11, S. Laws 1863-64, page 41—there existing sundry Indian and other reservations which may be required to be surveyed in order to close the lines of the public surveys thereon. Such portion of this sum as may be found indispensable to use in necessary office-work in any of the States and Territories it is proposed so to apply; and, unless otherwise ordered by law, the appropriation will be so understood and dealt with by the Department.
16. \$15, 000 is estimated to establish the northern boundary of the State of California, so as to enable the surveyors general of California and Oregon to close the lines of public surveys on the boundary and fix the respective jurisdictions of those States.
17. \$19, 000 is estimated for surveying the northern boundary of New Mexico, so as to ascertain whether the adjudication of the claims under treaty of Guadalupe Hidalgo, situated on the upper waters of the Rio Grande, belong to the surveyor general of New Mexico or that of Colorado, the latter Territory having formed portion of the present New Mexico.

REMARKS.—By the act of Congress approved May 30, 1862, the power of fixing the rates per mile for surveys is expressly delegated to the Commissioner, but in "no case to exceed the maximum established by law." It is hence his duty to reduce the rates under maximum stipulated in the estimate, according as circumstances may allow, and therefore the maximum in said estimates are by no means to be considered as the controlling rates.

No 11 A.

SURVEYOR GENERAL'S OFFICE,
Dubuque, September 1, 1865.

SIR: I have the honor to report the surveying operations in this district since the first of October last.

SURVEYS.

At the date of my last annual report all surveying out of appropriations prior to the one made by act of July 2, 1864, had been closed both in the field and office.

The design of the appropriation of \$40,000, made by the act above referred to, was to close the surveys in the State of Wisconsin. In ordinary times the appropriation was abundant for the speedy accomplishment of that design; but your instructions for the execution of the work reached me when the national currency was below fifty cents to the dollar, and when laborers suited to the wants of the surveying service were extremely scarce. The work to be executed was the most expensive in the district. Your instructions had ever necessarily left to the discretion of the surveyor general the designation of the localities to be surveyed, and my predecessors had carefully avoided the tracts covered by the more impassable windfalls and swamps and which were furthest from facilities of transportation. The price per mile fixed by you was the lowest at which similar, but better, work had ever been executed, and lower than the price at which much of the work in Wisconsin had been let. It was, in truth, about \$2 per mile for subdividing and \$2 40 per mile for township lines, in gold, when for the former \$5 25 per mile, and for the latter \$10 in gold had, during a long period, been paid. None but experienced surveyors—experienced as well in transporting supplies and equipage upon men's backs as in surveying—were suited to the character of this work. If undertaken by others they would necessarily fail, and while injuring the service, would ever feel and say that they had been injured by it.

Upon the receipt of your instructions, on the 1st of August, 1864, I immediately sought out the deputies, both in Wisconsin and Iowa, who had had the experience that warranted me in assigning them this work. Between the whole number of those who would accept I divided the work as nearly equally as possible, having in view the difficulties to be overcome. Some of those who at first accepted work, upon a further investigation declined either to execute their contracts or to take the field even after entering into contract, and others had, with much difficulty, to be selected in their stead.

The work was at first divided into ten districts, but at the request of six of the deputies their six districts were consolidated into three, each of these consolidated districts being let to two deputies, thus making in the end but seven districts—five of them exclusively subdivisinal, one of both town lines and subdividing, and the other of town lines exclusively.

The work was all assigned, and all but two of the contracts forwarded to and approved by you in time to enable the deputies to enter the field and make more or less progress with their work before the setting in of winter. One of the districts above named (under the *nunc pro tunc* contract of Deputy Anderson) was completed prior to my last annual report, and is the subject of schedule D, attached thereto, but is repeated in schedule A of this report, that all the contracts assigned out of the appropriation of July 2, 1864, may appear together. Of the six districts remaining, advance returns from each have been received; three are completed in the field, two more will be completed the present month, and the last one will have been finished and returned before the close of the present surveying season.

The difficulties of the work, added to the continued depreciation of legal tenders and the rapidly increasing price of both labor and supplies, made it certain, at the period of suspending field operations last fall, that few if any of the deputies would realize anything for their personal services, and that some of them would lose money in addition to the loss of time and services. They, therefore, severally made statements in writing showing their compensation for work executed and the expenses attending its execution, and asked me, as an act of justice, to aid them in procuring an increased compensation per mile for so much of their work as remained to be performed. In my letter of the 23d of December last I laid the subject before you and requested you to recommend to Congress such an appropriation as would enable me (after taking a release of the residue of their work) to enter into new contracts at an enhanced rate per mile. Your answer, while denying my request on the ground of the dangerous nature of the precedent it would establish if complied with, appealed to the patriotism of the deputies. This appeal was listened to, and one and all resolved to prosecute their work to completion for the compensation at first agreed upon. The complete triumph of our arms at the threshold of the present surveying season brought relief, and will save the deputies from serious loss.

The appropriation is ample for the completion of all the surveying in the district.

OFFICE-WORK.

Within the fiscal year ending June 30, 1865, the subdivisional surveys made and returned amounted to two thousand one hundred and thirty-five miles, equalling six hundred and fifty-four thousand five hundred and thirty-eight acres, as is more particularly shown by schedule B, hereto attached.

Within the eleven months embraced by this report, the field-notes of the subdivision of thirty-five townships have been carefully examined, and, after the necessary explanations and corrections, approved. From these field-notes original maps of each of said townships have been constructed and a copy of each thereof made for and transmitted to your office.

Within the same period the field-notes of the thirty-five townships above named have been transcribed, the transcripts carefully compared with the original, certified, and forwarded to your office.

Within the same time copies of the original plats of the subdivision of twenty-two townships have been furnished to registers.

Lists descriptive of the land and all the corners in seventy-two townships have, within the same period, been sent to registers by mail.

The correspondence increases with every year that the office is continued. As the settlements multiply, the original surveys are retraced by local surveyors, and instruction in the discharge of this labor constantly asked and always promptly given. After many years of cultivation and improvement the monuments by which the corners were originally evidenced disappear, and questions as to the manner of re-establishing these lost monuments are almost constantly referred to this office, and are ever carefully considered and the requisite instructions given.

Since the removal of the local land office from Dubuque, the letters and inquiries in reference to patents come into my hands, and the inquirers are always furnished with the desired information.

As the swamp-land agents in the several counties change, and are informed that the selections are lying in this office uncertified, they write to know why my certificate is withheld. The most satisfactory answer is to furnish them with a copy of the proof attached to the list and a copy of that required by

your office. It is laborious to do so, but is conclusive and prevents a repetition of inquiries by the same agent.

The current writing, such as draughting of surveying contracts and bonds in quadruplicate, of special instruction to deputy surveyors, and the preparation of diagrams and tables of corners for their use in the field, the correspondence with deputies while upon their work, answering numerous applications for the survey of islands at the expense of the applicant, has been quite as voluminous as ever heretofore.

ESTIMATE FOR APPROPRIATION FOR THE FISCAL YEAR ENDING 30TH JUNE, 1867.

The apportionment for the year ending 30th of June next, to be applied to salary of clerks, has been divided into five several salaries. With the force thus provided for I hope to be able to complete the mapping, transcribing and preparation of the descriptive lists by the close of the present fiscal year. The work above referred to consists of the inspection of the returns of a district of township lines, and of the subdivision of fifty-eight townships; the testing of some fifteen hundred miles of traverse lines; the construction of fifty-eight original maps of the most involved and difficult nature; the copying of fifty-eight maps for your office; the making of seventy-two register's plats; the preparation of lists descriptive of the land and corners in seventy-six townships. In addition to this work the promiscuous business of the office, consisting of correspondence with your office, with swamp land officers and agents, with county surveyors and others, relative to lost corners and the proper method of subdividing sections, with applicants for the survey of islands, dried-up lakes, accretions and small tracts adjoining navigable waters, represented to have been omitted by the original survey, and the recording of this correspondence, will require an amount of labor equivalent to the services of at least one experienced clerk.

An increase in the current amount of any branch of labor above enumerated, the sickness of a clerk or other accident, will render it impossible to complete the work within the year with the force at my disposal.

For the fiscal year ending 30th June, 1867, I have estimated for the salary of the surveyor general and two clerks, as will be seen by schedule D, hereto attached. The active services of this force will be required a large part of the year, and perhaps the whole year, in completing the work left unfinished at the close of the present year, in perfecting and indexing records, binding the original field-notes into volumes, separating such of the records as pertain to the two States jointly, by transcribing them into separate volumes, preparing descriptive catalogues of the records and papers for both the States of Wisconsin and Iowa, and otherwise preparing the voluminous records of the office for transmission under the act of Congress approved 12th June, 1840, and making a final report to your office.

SALARY AND DISBURSEMENT ACCOUNTS.

The apportionment to the office for the fiscal year ending the 30th of June last was, for salaries \$7,621, and for incidental expenses \$2,000. Of the former, the sum of \$6,789 67 was absorbed, leaving an unexpended balance of \$831 33. Of the latter, the sum of \$1,303 18 was expended, leaving a balance of \$696 52, as will more fully appear by schedule C, hereto attached.

CHARACTER OF THE UNSOLD LANDS.

By your circular letter of the 11th May last, I am directed to embrace in this report a description of the character and advantages of the parts of the district to which the government title has not been divested. In complying

with your direction in this regard, I have spared no effort to make the description as detailed and perfect as possible. My sources of information for Wisconsin have been limited, and I am unable to make this description either as comprehensive or minute as I had desired to make it, while, in Iowa, my information is such as enables me to present a more complete and thoroughly reliable statement upon the subject.

IN WISCONSIN.

The unsold government lands are nearly all in the north half of the State, and greatly exceed in quantity those of Iowa, and differ from them in being densely timbered, and the soil generally less adapted to agriculture. This large extent of valuable timber, considered in its relations to the prairie regions of the neighboring States, has already become a great element of public wealth. Without railroads across the prairies, and without this accessible lumber region, Illinois, Minnesota, Iowa and southern Wisconsin could never have attained to anything like their present population and prosperity. The vast lumber trade of Wisconsin, in its relation to the market cities on Lake Michigan, and upon the Mississippi river, is but a small item compared with the benefit that trade confers on the agricultural interest and general prosperity of the thinly timbered States bordering that river.

That portion of northern Wisconsin north of the centre of the State, drained by the Wisconsin river and its tributaries, is about seven thousand square miles, and is mostly in Marathon county. Only the northwestern part of this county is in the limited area in Wisconsin that is drained northward into Lake Superior. The valley of the Upper Wisconsin, considered as a whole, is poorly adapted to agriculture, its arability diminishing as the river is ascended. The lower part of the valley, in this county, contains less pine land and more hard timber, fewer marshes and lakes, and, like most of the north half of the State, is heavily timbered and well watered. There are few localities in this county suitable for agricultural settlements, but more that are better adapted to stock raising. The lakes in the northern part are several hundred in number, and from a few acres to many square miles in extent. The marshes and swamps are still more numerous. A part of the land between the lakes and marshes is but slightly elevated above them, and other portions of it consist of timbered ridges, with almost universally sandy soil, and with no exposures of rock. The surface is rolling, but not hilly, and the streams are rapid. Viewed from the higher elevations, the country appears to be level. The timber on the banks of the streams and lakes is generally white pine, of large size, good quality, and great quantity per acre. Yellow pine, of good quality, grows on the intervening ridges, while some of the level lands have dense forests of sugar maple, some birch, basswood and elm, and less of other kinds of trees. The south part contains many burr-oak openings. The lakes in the northern part are frequently arranged in chains linked by outlets and inlets of sufficient capacity to float the logs to larger streams, and to the mills, for the manufacture of the immense quantities of lumber that will constitute the chief product of value in this region. A canoe can pass without impediment, except a few short portages, from Rice lake, on Wolf river, in Oconto county, by way of the series of Eagle lakes and Eagle river, and by other lakes, westward, to the Wisconsin river, a direct distance of thirty miles, and by ascending western tributaries of that river can pass to other lakes on their headwaters to those of the branches of the Chippewa, and descend to the latter river a hundred miles in direct line from the starting point. Interspersed among these lakes are numerous swamps, bearing large quantities of tamarack, white cedar, spruce and balsam-fir. Many shallow lakes with mud bottoms, some of them within large marshes, are filled with wild rice. A large part of the once heavy timber around Lake Flambeau

on the reservation of about three townships in area, belonging to the Flambeau band of the Chippewa Indians, has been burned off by the fires which the Indians or other persons have permitted to run through the forests. This destruction of timber occurs in some other localities where the lumber trespassers upon the unsold lands have, by this cause, destroyed quite as much valuable timber as they have removed. In the northwest part of this county, over a space of about five hundred square miles, there are large forests of hemlock interspersed with smaller forests of pine, of a good quality. Most of the lakes in this and other counties abound in good fish, and in the Flambeau lakes there are also white fish of the kind and size found in the great lakes. Large portions are alternately densely and thinly covered with boulders of variable size. In some places where the thin vegetable mould has been burned off, in a dry season, the surface appears covered with small rounded boulders. A large number of the lakes, like most of those throughout northern Wisconsin, are surrounded by a shore-wall of boulders, crowded against the earth-bank by the action of the ice. Many of the marshes and swamps in this region rest upon boulders, blocks and points of granite, at a slight depth below the surface. The native grasses of the natural meadows in those localities adapted to settlement are of a good quality for pasturage and hay. These grasses are especially so in the valley of Tomahawk river, in the northwest part of the county. But frequently among the open timber, on the higher lands, there is but little grass. In wet seasons the proportion of water-surface over the low lands is greatly increased. The streams in the north part of the county have low banks and muddy bottoms; a majority of the swamps are annually inundated; there are but few grass marshes, but more with moss and cranberry; some very soft marshes, and some floating bogs. In many of the openings where grass would be expected, huckleberry and sweet fern grow instead. The principal value of the country described consists in the immense amount of evergreen timber which can be floated from almost every township to the Wisconsin river, and to other points of lumber manufacture on the Mississippi. This lumber, and that of nearly equal amount from several other Wisconsin rivers, supply the towns, settlements and farms that are being rapidly built and extended on the prairies in the States bordered by the Mississippi river. There is but one road leading northward through the interior of this county, and that is along the Wisconsin river. The road passes through some German settlements recently located near the mouth of Rib river.

The large county of Oconto, next in size to Marathon, and adjoining it on the east, extends to Green Bay. The land is mostly unsold, except in the southeastern quarter. The northern and western parts are mostly a level and lake country, like northern Marathon. It has less white pine, the timber being principally birch, spruce, and hemlock. The northeastern part is more variable in character and has less white pine. The soil of the north half is of little value for agriculture, being mostly sand. The timber from the northwestern township can, at a full stage of water, be taken by the chain of Eagle lakes to the Wisconsin river. In the south part the soil is much better. A road for the use of teams in winter and to drive cattle upon in summer has been cut out from Shawanaw, in Shawanaw county, passing through the western part of Oconto by way of Rice and Pine lakes to the head of Eagle lakes, and thence by Twin lakes and Lake View desert to Ontonagon river, and down its valley to Lake Superior. Around and near Eagle lakes and river the "loggers" have trespassed extensively on the unsold timber lands, and much timber has also been destroyed by fires. It is said that not less than two hundred men were engaged last winter in such trespasses at Eagle lakes and on Eau Claire and other rivers in this county and Marathon.

Chippewa county is the third largest county in Wisconsin. The northern part resembles in its general features the northern part of Marathon, but the agricultural land is of a better quality and the white-pine forests are more

extensive. In the south part the streams are more rapid, with higher banks and often with rocky bottom. On Chippewa river sandstone bluffs appear at and below Chippewa falls. There are fewer lakes and marshes than in Marathon and Oconto counties, and the low lands throughout the county are less subject to inundation. Pine timber is found in every part, but the best quality and greatest quantity, for limited areas, are near the Chippewa river. Nearly all the streams are sufficiently large to float logs to the mills upon the Chippewa, from whence the lumber can be rafted to the markets on the Mississippi. Large quantities of pine timber of the best quality exists on the unsold lands in this county. It is believed, however, that one-third to one-half of the best pine timber has been cut off by trespassers wherever it was most accessible. There are but few lakes in this county, and those mostly in the northern part. There are but few roads, except in the south part, near Chippewa river, and these are cut through the forests merely for lumbering purposes.

Ashland county, the fourth in size, is directly north of Chippewa and extends to Lake Superior. It has an area of about 2,200 square miles. From the central townships the water flows northward and eastward to Lake Superior, southward to Chippewa river, and westward toward St. Croix river. Most of the lakes, marshes, swamps, streams, drift-ridges, and sandy lands, resemble those in the north part of Marathon; a large proportion of the dry land, however, in the south part, is a district of pine barrens of little value for agriculture, and extending westward into Burnett and Douglas counties. There are scattering groves of good white pine in the eastern part, and in the northern part there are dense forests of hard timber, especially of sugar maple. The streams in the northeast part have good grass valleys, and are sluggish till they approach Lake Superior, when they descend rapidly and with occasional falls. Some of the lakes in the southwest part have no outlets, and the largest one of that class contains white fish. The "Iron Ridge" commences near the centre of this county and extends northeasterly into Ontonagon county, Michigan. It is a ridge often a fourth of a mile wide, and in some places is two hundred feet high, and contains an immense amount of iron ore of the best quality.

Douglas county is in the extreme northwest corner of the State and south of Lake Superior. From the central townships the rivers flow northward to the lake, and south and west to St. Croix river. This county is variable in surface and timber; not many lakes, but some marshes and many swamps bearing tamarack and white cedar, and has more hard timber in the northern part. The pine timber in the southwestern part can be readily conveyed down the St. Croix river.

Burnett county, one of the western tier, is upon the St. Croix river, an important stream in reference to the lumber trade. In the western part there is some sandy, barren, and bluff land; in the central portion a lake and marsh district; in the northern part more valuable timber; and in the eastern part many pine barrens of little value. There are good facilities for transporting logs and lumber from the north and west portions of this county.

Dallas county is almost wholly drained by branches of the Menomonee (or Red Cedar) river, flowing south toward the Chippewa. There are a few lakes in the northern part; some of them have no outlets, others are connected and form the heads of streams. There is considerable good pine timber in the southern part, which can be floated to the mills on the Menomonee and Chippewa rivers. There are a few marshes and tamarack swamps, mostly near the smaller streams. Some sugar maple and other kinds of timber common to northern Wisconsin are also found in this county. The soil, like that of most of the counties enumerated, is considered, as a whole, second rate.

Polk county is between Dallas and the St. Croix river; has some broken land near that river, a number of lakes in the central part, and a number of very

crooked streams in the northern and southern portions. In other respects it does not differ much from Dallas county.

Dunn county, next to the smallest county enumerated, has less than nine hundred square miles, and is in the second tier east of the St. Croix river. The Menomonee river flows through it centrally, southward, and enters the Chippewa near its south boundary. There is a large amount of good pine timber on the unsold lands, and facilities for transporting it to market. The soil is sandy, and is considered of little value.

Eau Claire county has only six hundred and forty-eight square miles, and is considerably settled on the Chippewa river, which passes through the north-western townships, and also upon Eau Claire river, which runs from the east through the county. There is still some unsold land in this county of a good quality. It is upon the southern limit of the pine region, and has saw-mills and facilities for the lumber trade.

Clark county has an area of 1,500 square miles, is situated south of a portion of Chippewa, and is partly drained by Black river, which passes southwardly the whole length of the county. Half of the western part is drained by large branches of Eau Claire river, which, like Black river, afford facilities for conveying logs to the saw-mills and lumber markets. There are some settlements in the southern townships. There are no lakes in this county, but large quantities of pine timber in the central and northern portions. The soil of the southern part is like that of Eau Claire county, and that of the northern is more sandy, like the neighboring portions of Chippewa and Marathon.

The counties above enumerated comprise, in area, about one-third of the State, and, as a district, will for a long time constitute the lumber-yard for the cities, towns, and settlements in the northwestern States and Territories.

IN IOWA.

The quantity of unsold government land in the State of Iowa is estimated to be about 4,500,000 acres, and is nearly all in the northwest quarter of the State, and included in parts of about twenty counties, mostly within a space of eighty-four miles from north to south, about one hundred and twenty-five miles from east to west, and principally west of the Des Moines river.

In the Fort Dodge land district the best of the unsold lands are in the counties of Webster, Humboldt, Kossuth, Emmett, Palo Alto, Pocahontas, and Calhoun. The western tier of townships, in the four last counties named, are in the Sioux City land district. The Des Moines river passes through Emmett, Palo Alto, Pocahontas, Humboldt, and Webster counties, and its east fork passes through Kossuth, and enters the main river in Humboldt. The valley of the Des Moines contains land equal to any in the State. In the upper part of this valley the lands are equally well adapted, as a body, to grain or stock-raising. The country north of Webster county is but thinly settled, though the counties are organized and mail routes and post offices have been established. Many of the fine agricultural lands on the roads and near the river, or within three miles of it, are still unsold. Over half of the 700,000 acres in this land district are within ten miles of saw-mills, post offices, and stage roads; over 50,000 acres are within five miles of these advantages; and over 25,000 acres are in their immediate vicinity. Among the vacant lands of this district are the best grass lands in the northwest. Some of the valuable native grasses are two species of red-top and the blue-joint, yielding two to three tons of hay per acre. If cut at the proper time, these and some other kinds that grow only sparsely east of the Mississippi are nearly as nutritious as the cultivated grasses. These grass lands are rich natural meadows, and are so interspersed that some occur on almost every section, and there is rarely a quarter section that has not some land equally well adapted to grain and fruit-raising. In this well-watered dis-

trict, large bodies of first-rate vacant land, enough for a neighborhood of settlers in many localities, can be found upon or near a stream. Other localities have springs or ponds of permanent water. In Kossuth, Emmett, Palo Alto, and Pocahontas counties are some beautiful lakes, some of them partly surrounded by timber, and abounding in fish. These lakes are enclosed by fine grass and grain lands. The soil of this district is deeper and richer than in the more noted and longer-settled portions of the west. The sub-soil, at a depth of two to five and ten feet, is clay. Water is found over the whole district at an average depth of fifteen feet. Wells are seldom over twenty-five feet deep, except on the bluffs near the rivers.

The unsold lands, offering the best advantages at present for settlement, are those near the Des Moines river and its east fork, and others near the changed line of the Dubuque and Sioux City railroad, in the southwest part of the district. There are good vacant lands within five miles of the county seats, in several counties in each of these land districts. The facilities for reaching the lands in the Fort Dodge district have been greatly improved within the past year. The Dubuque and Sioux City railroad has been extended thirty miles further west, and its present terminus is within sixty miles of Fort Dodge. This land grant road is under contract to that point, where it will intersect another land grant road—the Keokuk, Fort Des Moines, and Minnesota—which will be extended up the Des Moines valley to the State line, and will meet a land grant road in Minnesota. The title of the companies to the valuable land traversed by these roads depends on the construction of the roads, and, considering the resources and rapid settlement of the country, the roads will, without doubt, be built at an early day. Most of the land in the counties named is timberless prairie, varying from nearly level to gently rolling, but more undulating along the rivers and prairie streams. Extensive deposits of coal, sandstone, limestone, and gypsum occur in Webster county, in the vicinity of Fort Dodge. Limestone is also found in Humboldt and Pocahontas counties. The climate of this district is more dry than in Wisconsin, or in the eastern part of Iowa, yet on account of the depth and fertility of the soil crops do not suffer from drought.

The Sioux City land district is mostly upon the "Missouri slope," and is distinguished for fertile soil, absence of sloughs, marshes, and boulders, abundance of living springs and numerous streams, easy tillage, and wide river valleys. Compared with the Fort Dodge district, it has larger bodies of exclusively grain land, a more friable soil, deeper channels of the streams and rivers, a dryer climate, and generally a peculiar adaptation to both grain and stock-raising. There is some timber along the rivers, except near their sources, and groves, also, on some of the smaller streams and in the ravines in the lower portion of the river valleys. The amount of unsold land in this district is nearly 4,000,000 acres. The lands most eligible for settlement, on account of roads and market, are in the counties of Sac, Ida, Woodbury, Plymouth, and Sioux, respectively, on Coon, Maple, Little Sioux, Floyd, and Big Sioux rivers. The counties of Buena Vista, Clay, Cherokee, O'Brien, Osceola, and Lyon contain more unsold land, and have equal advantages as to fertility of soil, but with less timber, and are more sparsely settled. Dickinson county is nearer the Des Moines river, and partakes more of the character of the Fort Dodge district. All the rivers named, including also the west fork of the Little Sioux, have very rich bottom lands of a beautiful appearance; but as these rivers approach the Missouri the bluffs are more steep, and the land, for several miles on each side of the river valleys, is more broken. Most of the intervening prairies are beautifully undulating, perfectly drained, with nothing to impede a wagon or a plough. In the eastern part of this district the counties of Sac, Buena Vista, and Clay, and especially Dickinson, have a few wet marshes and many natural meadows; but scarcely any are found in the other eight counties, drained entirely towards the Missouri, except skirting the rivers. There

is probably no coal or other valuable minerals in the Sioux City district. Sandstone and limestone of the carboniferous era occur at Sioux City, and limestone further north, on the Big Sioux river. In the interior of the district the deeply-cut river valleys, over a hundred feet below the prairie level, have not yet reached the first stratum of rock. Some boulders and gravel, of the kind seen occasionally on the Mississippi slope, are found ten to thirty feet below the surface, but are exposed only occasionally on the face of the river bluffs. The soil is a fine loam, containing considerable lime, and hence well adapted to wheat. So great is the amount of lime diffused uniformly through it, that everywhere on the Missouri slope the plough and the burrowing animals throw up small pebbly concretions, which slowly dissolve under the action of the rain and air. The surface deposit, deepening on approaching the Missouri, is a highly productive soil, is easily worked by the spade or plough, yet has a remarkable exemption from washing by rains. The almost perpendicular bluffs of the Missouri and of the lower part of the rivers in this district, without a pebble or rock in two hundred feet of depth, absorb rain like a dry brick, and hence there are neither land-slides on the steep hill-sides, nor any injurious washing of the less inclined but easily cultivated slopes.

Over this mostly timberless region there is no property in the soil that prevents the growth of forest trees. The annual prairie fires, more than all other causes, prevent the growth of timber. In some counties, especially Ida, Woodbury, and Cherokee, there are large tracts, often continuous over several sections, from three to five miles from the rivers, which are covered by a thick growth of young oaks, though killed nearly every year by the fires. If these shrubs escape the fire two years they are loaded with acorns, the roots being large and perpetual. This kind of land, if protected from the fires by surrounding furrows, would in a few years be covered by a dense growth of young timber. The recently located line of the Dubuque and Sioux City railroad passes near large tracts of this kind of land. The best grass lands in the western part of this district are along the rivers; in the eastern part they are scattered through every township, occasionally associated with marshes of limited extent, containing peat of a good quality for fuel. Dickinson county, adjacent to Minnesota, contains more lakes than any other county in these two districts, and, like the neighboring counties, is a fine grass-growing region.

The land is mostly unsold in Sioux, Lyon, and Osceola counties. The two latter counties have not been organized, and Sioux has but few inhabitants. These counties have a good soil, but are nearly destitute of timber. The River of the Rock passes through these three counties before reaching the Big Sioux, which forms the western boundary of Iowa for more than sixty miles. In this part of the district there are whole townships of unsold land, and there is vacant land of a good quality in each of the twelve counties and four parts of counties in the Sioux City district. The Dubuque and Sioux City railroad will pass from Fort Dodge, through Calhoun, Sac, and Ida counties, in the southeastern portion of this district, and leave it as it approaches the southwest corner of the latter county, in the valley of Maple river, and enter the district again in Woodbury county. The land-grant railroad from Sioux City to Lake Superior, required by act of Congress to be constructed by way of Mankato and St. Paul, will pass through the northern part of Woodbury county, through Plymouth, Sioux, and O'Brien counties, near Osceola and Clay, through Dickinson, and near, if not through, a portion of Emmett county. This leaves only two counties in this district—Buena Vista and Lyon—without an immediate benefit from railroads within a few years. The Keokuk, Fort Des Moines, and Minnesota railroad will pass through Webster and Humboldt counties, and through or near the northeast corner of Pocahontas county, and also through Palo Alto and Emmett counties. These three land-grant railroads will afford immigration and market facilities for nearly the whole of both these land districts.

The prairie lands of the whole region described are, as already intimated, well adapted to the culture of forest trees. The cottonwood becomes a protecting grove against the winds in four or five years. The locust, though less adapted to the climate and of slower growth, would become a valuable timber for fence-posts and railroad ties. Black and white walnut, the maples, and, in fact, most of the forest trees common to the river borders in the prairie region, grow equally well in the groves that have been planted around the homes of thousands of Iowa farmers.

No part of these two land districts, except Lyon county, will be over 150 miles, by railroad, from the coal and gypsum near Fort Dodge, and no county will be over twenty miles from the line of one or more of the land-grant railroads. When these roads are extended one-half the distance of their proposed length, they will furnish facilities for easily approaching this region, and of transporting its abundant agricultural products to market; and there will not then be in the whole west a more inviting district of country than northwestern Iowa.

Very respectfully, your obedient servant,

HENRY A. WILTSE,
Surveyor General.

Hon. J. M. EDMUNDS,
Commissioner of the General Land Office.

B.—Schedule showing the miles of survey, together with the area of the several subdivisinal surveys, in Wisconsin, from July 1, 1864, to June 30, 1865.

No.	Description.	Miles of survey.			Acres of public land.
		Miles.	Chs.	Lks.	
1	Township 38 north, range 2 east, 4th meridian	61	50	63	23,055.34
2	Township 39 north, range 2 east, 4th meridian	60	25	55	21,089.80
3	Township 35 north, range 3 east, 4th meridian	60	20	83	23,225.94
4	Township 36 north, range 3 east, 4th meridian	61	07	40	23,874.77
5	Township 37 north, range 3 east, 4th meridian	60	01	25	23,061.48
6	Township 38 north, range 3 east, 4th meridian	62	08	83	22,779.57
7	Township 39 north, range 3 east, 4th meridian	61	16	88	20,840.07
8	Township 34 north, range 4 east, 4th meridian	59	75	64	22,992.76
9	Township 35 north, range 4 east, 4th meridian	60	29	91	23,323.57
10	Township 36 north, range 4 east, 4th meridian	62	44	59	23,781.37
11	Township 37 north, range 4 east, 4th meridian	64	65	31	22,523.24
12	Township 38 north, range 4 east, 4th meridian	66	51	59	22,453.00
13	Township 39 north, range 4 east, 4th meridian	72	40	43	19,138.32
14	Township 40 north, range 5 east, 4th meridian	97	31	65	14,151.94
15	Township 41 north, range 5 east, 4th meridian	101	18	60	17,852.91
16	Township 40 north, range 6 east, 4th meridian	86	18	88	19,985.52
17	Township 41 north, range 6 east, 4th meridian	98	55	71	19,276.88
18	Township 35 north, range 8 east, 4th meridian	68	22	24	22,671.07
19	Township 34 north, range 9 east, 4th meridian	60	17	44	23,186.11
20	Township 35 north, range 9 east, 4th meridian	62	75	49	23,036.52
21	Township 33 north, range 13 east, 4th meridian	63	39	49	22,904.61
22	Township 33 north, range 14 east, 4th meridian	62	32	59	23,052.24
23	Township 39 north, range 15 east, 4th meridian	73	35	00	21,214.63
24	Township 41 north, range 15 east, 4th meridian	21	00	04	4,593.40
25	Township 39 north, range 16 east, 4th meridian	68	20	79	22,659.86
26	Township 40 north, range 16 east, 4th meridian	65	18	71	23,200.33
27	Township 41 north, range 16 east, 4th meridian	23	52	99	5,852.18
28	Township 39 north, range 17 east, 4th meridian	68	44	84	21,512.24
29	Township 40 north, range 17 east, 4th meridian	71	02	01	19,389.58
30	Township 41 north, range 17 east, 4th meridian	3	15	81	333.60
31	Township 39 north, range 18 east, 4th meridian	77	05	08	22,601.55
32	Township 40 north, range 18 east, 4th meridian	54	77	60	16,117.75
33	Township 39 north, range 19 east, 4th meridian	57	06	55	12,668.04
34	Township 40 north, range 19 east, 4th meridian	34	02	65	5,703.80
35	Township 49 north, range 15 west, 4th meridian	2	73	50	428.90
36	Part of fractional township 49 north, range 13 west, 4th meridian .....	.....	40	83	5.50
Total.....		2,135	27	13	654,538.39

HENRY A. WILTSE, *Surveyor General.*SECRETARY GENERAL'S OFFICE,
Dubuque, September 1, 1865.

C.—Salary of surveyor general and clerks for the fiscal year ending June 30, 1865.

Apportionment	\$7,621 00
For quarter ending September 30, 1864	\$1,464 67
For quarter ending December 31, 1864	1,775 00
For quarter ending March 31, 1865	1,775 00
For quarter ending June 30, 1865	1,775 00
Unexpended balance.....	831 33
	<u>7,621 00</u>

Incidental expense account for the fiscal year ending June 30, 1865.

Apportionment		\$2,000 00
Expended for the quarter ending September 30, 1864.....	\$483 90	
Expended for the quarter ending December 31, 1864	274 68	
Expended for the quarter ending March 31, 1865.....	277 90	
Expended for the quarter ending June 30, 1865	266 70	
Unexpended balance.....	696 82	
		<u>2,000 00</u>

HENRY A. WILTSE, *Surveyor General.*SURVEYOR GENERAL'S OFFICE,
*Dubuque, September 1, 1865.**D.—Estimate for salary of surveyor general of Wisconsin and Iowa, the clerks in his office, and for incidental expenses, for the year ending June 30, 1867.*

For salary of surveyor general.....	\$2,000 00
For salary of clerks.....	2,800 00
For incidental expenses of office	1,000 00
Total.....	<u>5,800 00</u>

HENRY A. WILTSE, *Surveyor General.*SURVEYOR GENERAL'S OFFICE,
Dubuque, September 1, 1865.

B.

SURVEYOR GENERAL'S OFFICE,
St. Paul, August 25, 1865.

SIR: I have the honor to submit the following report of the field and office work performed in this surveying district since the date of the last annual report, together with the usual statements relating thereto, and marked from A to G, inclusive.

On taking charge of this office in May last, I found that contracts had been made by my predecessor for surveys amounting to very nearly the full amount of the balance of appropriation for the fiscal year ending June 30, 1865, and that, owing to the failure of the passage of the civil appropriation bill by Congress, no funds were provided for carrying forward the surveys for the next fiscal year.

It would appear that of the surveys contracted for by D. L. Curtice in August, 1864, the great distance to and almost inaccessible character of the country in which his work was to be carried on, and the late period of the season at which he left for the field, prevented his completing any portion of the contract; he left again early in the present season, and will, I have no doubt, fully complete his surveys before its close. It is, I think, to be desired that the public surveys should be extended in this direction without delay, as considerable attention has recently been directed to this section of the State from the well-known existence of valuable minerals and the reported discoveries of coal, &c.

Having received your instructions with respect to the subdivision of certain townships in the Gull Lake and Mille Lacs reservations, rendered necessary in order to locate the grants made to Rev. John Johnson, missionary, Chief Hole-in-the

day, and others, in the treaty of May, 1864, with the Chippewa Indians, after the appropriation for the fiscal year ending June 30, 1865, had been very nearly exhausted, I proposed to Messrs. Wright and Walker, who were about leaving for the field embraced in their contract, to undertake the survey of the townships supposed to include the grants referred to, and cancel a corresponding portion of their contract; and having agreed to this arrangement, instructions were issued to these gentlemen accordingly. After ascertaining the locality of the grants to Rev. Mr. Johnson and Hole-in-the-day, and consulting with them and the Indian agent, (as recommended in your instructions,) it was found necessary to subdivide three townships, the notes of which have been returned and partially examined. Messrs. Wright and Walker have been informed of the extent which these surveys will reduce the amount of work to be done under their contract, and also that a contract has been let to O. E. Garrison for the subdivision of the township on Mille Lacs, containing the grant to Chief Shaw-bosh-kung.

It will be observed by statement A that Messrs. Davis and Webb have completed the survey of the Sioux reservation on the Minnesota river, having had a very favorable season and met with no obstructions by Indians or other cause. These gentlemen report the immigration of large numbers of settlers in that section; and as the lands on the north of the river are equally as good for agricultural purposes, it is, I think, highly desirable that the public surveys should be extended over them at an early day, as likely to attract immediate purchasers, from the fact that the price of such lands would be less than what will probably be required for the lands within the reservation. The commissioners for valuing these lands are now engaged thereon, and have been furnished by this office with the necessary plats and notes to assist them. I may here remark, that a line of railroad is now being rapidly constructed that will afford an outlet for the agricultural products of the Minnesota valley, and thus give the additional advantage of such facilities for reaching a market, and render more certain the immediate filling up of this rich and productive section of country.

It may, I think, be said with truth that this State comprises within its limits nearly every advantage that could possibly attract the attention of those seeking a home in a new country, whether for health alone, the investment of capital, or simply desiring to find a land where common industry can reap the greatest returns in the cultivation of the soil.

There is no State in the Union better adapted, in what may be called its agricultural sections, to the production of grain, and more especially of wheat. The mineral regions of Lake Superior, and the extensive and valuable pineries in the northern and eastern portion of the State, only require the application of capital to yield immense wealth. Its fisheries have not yet been sufficiently known to attract the attention which, from their undoubted importance, will in time be given to them; and when to these special advantages is added the great and unquestionable salubrity of its climate, the proof of which is shown in the annual visitation of hundreds seeking its borders for that most valuable of all nature's gifts, there can be no question that at no distant day this young State will show a population and amount of wealth superior to many of those of far older settlement, and heretofore considered as having greater attractions for both emigrants and capitalists.

I have had occasion to devote some considerable portion of time since taking charge of this office in May last in the matter of timber trespasses, although but a comparatively small amount of depredations had been found to have been committed the past season by the agents engaged on that duty by my predecessor. There were, however, many cases that had remained unsettled of previous years' trespasses, which I have now been enabled to dispose of in consequence of the logs having reached a market. I think that the vigilance dis-

played by the government has had its effect, and that the despoiling of the public lands in this section has very generally ceased.

In addition to the several statements accompanying this report, I would beg to give the following as a summary of the office-work performed since the last annual report :

The original notes of one thousand two hundred and thirty-three miles of subdivisional surveys, including therein one hundred and five miles of meandered lakes and rivers, have been carefully examined and platted, and the contents of all the fractional lots calculated and placed on the maps and copies.

The original notes of forty miles of standard and township lines have also been critically examined and placed on file, diagrams of the same constructed and transmitted, with transcript of the field-notes.

Twenty-three township plats have been constructed from the original notes, and copies made and transmitted to the general and local land offices. Eight copies of register's township plats have also been made, to replace those worn or lost.

Two thousand one hundred and thirty-four pages of transcripts of original notes for preservation at the department, and for records for this office, have been made, the same compared and indexed, with full title-page to each township.

Eighty-six (86) township descriptive notes, exhibiting the establishment of the exterior and interior corner boundaries, with description of soil, timber, &c., have been prepared, compared with the originals, and transmitted to the local land offices, or placed on the files of this office for reference.

A considerable amount of time is consumed in attending to the necessary clerical duties connected with the timber trespasses. The usual and regular amount of office-work, such as preparing contracts, notes, and diagrams for use of deputies, the correspondence and recording of same, making out deputies' and quarterly accounts, &c., has been performed.

The several statements, estimates, and map accompanying this report are as follows :

A.—Amount, character, locality, and present condition of the surveys in the field.

B.—Original, commissioners' and registers' plats made and copied, with date of transmission.

C.—Estimate of appropriation for surveys for fiscal year ending June 30, 1867.

D.—Estimate of appropriation for salaries for fiscal year ending June 30 1867.

E.—Abstract account of the incidental expenses of the office from October 1 1864, to June 30, 1865.

F.—Sketch of public surveys.

G.—Statement showing the number of townships surveyed and acres of land therein.

I am, very respectfully, your obedient servant,

L. NUTTING, *Surveyor General.*

J. M. EDMUNDS, Esq.,

Commissioner of the General Land Office, Washington, D. C.

REPORT OF THE SECRETARY OF THE INTERIOR.

*A.—Statement showing the amount, character, locality, and present condition of the surveys in Minnesota uncompleted at and under-
taken since the date of the last annual report.*

Name of deputy.	Date of contract.	Character of work.	Amount and locality.	Present condition.
Messrs. Davis & Webb....	July 25, 1864.....	Subdivisions.....	Townships 112 and 113 north, range 37 west; township 113, range 38; townships 113 and 114, range 39; townships 114 and 115, range 40; township 115, ranges 41 and 42; and that part of township 114, range 37, townships 114 and 115, range 38, and township 115, range 39 west, lying south of the Minnesota river.	Surveys completed, notes re- turned and approved, and plats and notes transmitted.
David L. Curtice.....	August 28, 1864.....	Independent meridian, 8th correction line, and township lines.	Independent meridian from corner to townships 58 and 57, ranges 15 and 16 west, to 8th correction line; 8th correction line from corner to townships 60 and 61, ranges 15 and 16 east, 94 miles; lines between ranges 11 and 12, 12 and 13, 13 and 14, 14 and 15, in townships 57, 58, 59, and 60, and lines between townships 57 and 58, 58 and 59, 59 and 60, in ranges 12, 13, 14, and 15 west of the 4th principal meridian.	Deputy in the field. No re- turns received.
Oscar E. Garrison.....	October 14, 1864.....	Fifth correction line, township lines and subdivisions.	3d guide meridian; township lines between townships 48 and 49 north, and ranges 25, 26, and 27 west, and the lines between ranges 24 and 25, 25 and 26, 26 and 27, township 48 north, and subdivisions of township 48 north, ranges 25, 26, and 27 west of the 4th principal meridian.	Surveys completed, notes re- turned and approved, and plats and notes transmitted.
Almon Barnard.....	March 9, 1865.....	Subdivisions.....	Township 43 north, range 23 west.....	Survey completed, notes re- turned and approved, and plats and notes transmitted.
Messrs. Davis & Webb....	March 30, 1865.....	Subdivisions and town- ship lines.	Township lines between townships 118 and 119, and 119 and 120 north, range 46 west, and subdivisions of township 116 north, range 41 west; townships 116 and 117, range 42; townships 117 and 118, range 43; townships 118 and 119, ranges 44 and 45; townships 119 and 120, range 46; and that part of township 116 north, range 39 west; townships 116 and 117, range 40; townships 117 and 118, range 41; township 118 and 119, range 42; townships 119 and 120, range 43; township 120, range 44; townships 120 and 121, range 45; and township 121, range 46, lying south of the Minnesota river.	Survey completed, notes re- turned and approved, and plats and notes transmitted.
Messrs. Wright & Walker. Messrs. Wright & Walker.	Instructions of May 27 and June 15, 1865. April 12, 1865.....	Subdivisions..... Township lines and sub- divisions.	Township 124 north, range 28 west, and townships 124 and 125 north, range 29 west. Township lines between townships 137 and 138, 138 and 139, 139 and 140 north, ranges 29, 30, and 31 west; range lines between ranges 29 and 30, 30 and 31 in townships 137, 138, 139, and 140 north; subdivisions of townships 137, 138, and 139 north, ranges 29 and 31 west; and townships 137, 138, 139, and 140 north, range 30 west.	Surveys completed and notes returned; notes not yet returned. Deputies in the field. No re- turns received.
Oscar E. Garrison.....	August 5, 1865.....	Subdivisions.....	Township 43 north, range 27 west.....	

B.—Statement of original, commissioners' and registers' plats made and copied, with date of transmission to the General Land Office and local land offices.

	Land district.	Original.	Commissioners'.	When transmitted.	Registers'.	When transmitted.	Total plats.
				1864.		1865.	
Townships 112 and 113 N., range 37 W.....	Saint Peter	2	2	Dec. 3	2	Jan. 6	6
Township 114 N., range 37 W.....	do.....	1	1	Dec. 21	1	do....	3
Township 115 N., range 38 W.....	do.....	1	1	Dec. 3	1	do....	3
Townships 113 and 114 N., range 38 W.....	do.....	2	2	Dec. 21	2	do....	6
Township 113 N., range 39 W.....	do.....	1	1	Dec. 21	1	do....	3
Township 114 N., range 39 W.....	do.....	1	1	Dec. 3	1	do....	3
Township 115 N., range 39 W.....	do.....	1	1	Dec. 21	1	do....	3
Townships 114 and 115 N., range 40 W.....	do.....	2	2	Dec. 3	2	do....	6
Township 115 N., range 41 W.....	do.....	1	1	Dec. 21	1	do....	3
Township 115 N., range 42 W.....	do.....	1	1	Dec. 21	1	do....	3
				1865.			
Township 43 N., range 23 W.....	Taylor's Falls.	1	1	June 17			2
Township 48 N., range 25 W.....	Saint Cloud.....	1	1	Mar. 11			2
Township 48 N., range 26 W.....	do.....	1	1	July 31			2
Township 48 N., range 27 W.....	do.....	1	1	July 31			2
Townships 111 and 112 N., range 33 W.....	Saint Peter				2	Mar. 24	2
Township 112 N., range 34 W.....	do.....				1	do....	1
Township 113 N., range 35 W.....	do.....				1	do....	1
Townships 113 and 114 N., range 36 W.....	do.....				2	do....	2
Township 116 N., ranges 39, 41, and 42 W.....	do.....	3	3				6
Township 117 N., ranges 40 and 42 W.....	do.....	2	2				4
Total							63

L. NUTTING, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE, *St. Paul, August 25, 1865.*

C.—Estimate of appropriation required for continuing the public surveys in Minnesota for the fiscal year ending June 30, 1867.

West of 4th principal meridian:	
For the establishment of 70 miles of 6th correction line	\$700 00
For the establishment of 250 miles of township lines.....	2,250 00
For the subdivision of 18 townships in pine region	7,350 00
For the subdivision of 8 townships in mineral region	3,360 00
West of 5th principal meridian:	
For the establishment of 24 miles 3d guide meridian.....	240 00
For the subdivision of 6 townships.....	2,290 00
For the subdivision of 10 townships.....	3,810 00
	20,000 00
For the incidental expenses of surveyor general's office, including office rent, messenger, stationery, &c.....	2,000 00
	22,000 00

L. NUTTING, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE *St. Paul, August 25, 1865.*

D.—*Estimate of the appropriation required for the salaries of the surveyor general and the regular clerks in his office for the fiscal year ending June 30, 1867.*

For the salary of surveyor general.....	\$2,000 00
For the salary of chief clerk.....	1,500 00
For the salary of chief draughtsman.....	1,300 00
For the salary of assistant draughtsman.....	1,200 00
For the salary of transcribing clerk.....	1,200 00
For the salary of transcribing clerk.....	1,100 00
	<hr/>
	8,300 00
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L. NUTTING, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE,
St. Paul, August 25, 1865.

E.—*Abstract statement of the incidental expenses of the surveyor general's office from October 1, 1864, to June 30, 1865.*

For the quarter ending December 31, 1864.....	\$253 90
For the quarter ending March 31, 1865.....	315 00
For the quarter ending June 30, 1865.....	560 34
	<hr/>
	1,129 24
	<hr/>

L. NUTTING, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE,
St. Paul, August 25, 1865.

G.—*Statement of townships surveyed from the 1st day of July, 1864, to the 30th day of June, 1865.*

No. 1, township 112, range 37.....	22,354.47 acres.
2, township 113, range 37.....	22,705.19 acres.
3, township 113, range 38.....	22,550.85 acres.
4, township 113, range 39.....	22,528.51 acres.
5, township 114, range 39.....	22,166.76 acres.
6, township 114, range 40.....	22,956.38 acres.
7, township 114, range 38.....	22,146.23 acres.
8, township 114, range 37.....	12,280.42 acres.
9, township 115, range 38.....	4,380.98 acres.
10, township 115, range 39.....	19,983.69 acres.
11, township 115, range 40.....	23,005.14 acres.
12, township 115, range 41.....	22,960.01 acres.
13, township 115, range 42.....	22,922.37 acres.
14, township 43, range 23.....	23,193.60 acres.
15, township 48, range 25.....	21,059.42 acres.
16, township 48, range 26.....	22,797.13 acres.
17, township 48, range 27.....	14,070.53 acres.
18, township 116, range 39.....	3,843.58 acres.
19, township 116, range 40.....	
20, township 116, range 41.....	22,716.57 acres.
21, township 116, range 42.....	22,842.08 acres.
22, township 117, range 40.....	2,707.26 acres.
23, township 117, range 42.....	22,994.48 acres.
1,066 previously reported.....	21,035,594.01 acres.
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Total acres surveyed.....	21,454,759.66
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L. NUTTING, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE,
St. Paul, August 25, 1865.

C.

SURVEYOR GENERAL'S OFFICE,
Yankton, D. T., August 11, 1865.

SIR: In accordance with your instructions, I have the honor to submit my annual report, in duplicate, in reference to the surveys executed in this district, and other operations of this office, during the year ending June 30, 1865.

**SURVEYS EXECUTED IN THE TERRITORY OF DAKOTA IN THE FISCAL YEAR
 ENDING JUNE 30, 1865.**

1. The first and second standard parallels through ranges 47 and 48 west of the 5th principal meridian, Dakota Territory. The line between ranges 47 and 48 of townships 102, 103, 104, 105, 106, 107 and 108. The line between townships 101 and 102 of range 47. The lines between townships 102 and 103, 103 and 104, 105 and 106, 106 and 107, 107 and 108, of ranges 47 and 48 west of the 5th principal meridian, amounting to 114 miles, 56 chains and 58 links.

2. The following named 15 townships have been subdivided into sections, viz: townships 101, 102, 103 and 104 of range 47 west; townships 101, 102, 103 and 104 of range 48 west; townships 102, 103 and 104 of range 49 west; townships 101, 102, 103 and 104 of range 50 west; amounting to 813 miles, 33 chains and 9 links.

OFFICE-WORK SINCE LAST ANNUAL REPORT.

1. The field-notes of all the above described surveys have been carefully examined and approved.

2. A diagram has been made and the field-notes transcribed of the survey of the above described township lines.

3. The field-notes of the following fifteen townships have been protracted, triplicate maps of each one thereof constructed, and the maps filed and transmitted as required by law, viz: townships Nos. 101, 102, 103 and 104 north, range 47 west of the 5th meridian; townships Nos. 101, 102, 103 and 104 north, range 48 west of the 5th meridian; townships Nos. 102, 103 and 104 north, range 49 west of the 5th meridian; townships Nos. 101, 102, 103 and 104 north, range 50 west of the 5th meridian.

4. Transcripts have been prepared, and transmitted, of the entire field-notes of each of the fifteen townships last above named, all of which have been carefully compared with the original, and each has been prefaced by an index diagram.

5. Lists descriptive of the land and all the corners of the above named townships have been made, carefully compared with the original field-notes, certified, and transmitted to the local office at Vermillion.

6. The usual amount of miscellaneous business has been performed, such as preparing contracts and bonds (in quadruplicate,) with instructions and diagrams of the exterior boundaries of their surveys, for the use of deputies; making out and recording their accounts and the accounts with the government; the general correspondence of the office and recording the same; together with other work; all of which occupies a large amount of time, but of which no regular or detailed statement can well be given.

MISCELLANEOUS.

The failure of the appropriation bill containing the estimates of appropriations for the prosecution of the public surveys, at the close of the last session of Congress, restricts the operations of this office for the present season to the completion of contracts not previously executed as far as the Territory of Dakota is concerned. The unexpended appropriations for the Territory of Montana will be contracted for as soon as sufficient information can be obtained as to the proper initial point at which to commence the surveys in that Territory.

The eastern portion of the Territory of Dakota, as stated in my previous reports, is peculiarly adapted to the pursuits of agriculture, and especially that of stock-raising. Considerable accessions of population are being made, and horses, cattle and sheep of improved breeds are being introduced.

The crops the present season are very good, and from present appearances Dakota will be able to supply her population and the emigration of this year with corn, wheat, oats and potatoes.

This Territory presents unusual advantages for the growth of wool. The abundance of natural meadows and pasture and ample supply of water, together with the mildness of the weather and absence of rain during the winter months, insures freedom from disease, without which sheep-raising cannot be successfully prosecuted.

The establishment of a line of military posts now being constructed and garrisoned outside of the settlements, as recommended in my previous reports, has quieted the apprehensions of the settlers, and operates also to protect our operations upon the public surveys.

The appropriation made by Congress to open wagon roads through this Territory to the mining regions of Montana and Idaho is being expended, and will be productive undoubtedly of very beneficial results to the people of these Territories, as it is expected that a large proportion of the emigration to the gold mines will pass through Dakota by a much shorter route than heretofore, well timbered and watered, making a market for the surplus productions of Dakota, inducing settlers upon its beautiful and fertile lands, and also enabling the emigrants to obtain their supplies at a reasonable rate. A large number of steamers have also been placed upon the upper Missouri, which is navigable in high water as far up as Fort Benton, the point of transshipment of supplies for the gold mines of Montana. These mines are definitely ascertained to be productive, and the emigration to them and shipment of machinery and supplies is constantly increasing. It would appear, therefore, now that the war has ceased, and the business of the country is resuming its wonted channels, that the demand for the public lands in these Territories will be largely increased, and that more liberal appropriations for the extension of the public surveys will be required than heretofore, and it is upon the general movement and improvement now taking place that my estimates of the amount required for the next fiscal year are based.

The contract made last season for the survey of the portion of the Sioux Indian reservation within the Territory of Dakota has been unavoidably delayed in its execution. The contractor is now engaged, however, upon the work, and I shall undoubtedly be able to report its completion this season.

It may be proper for me to state that the increase in the amount of incidental expense account for the last quarter ending 30th June last, as will appear from the table accompanying this report, is owing to the receipt of a supply of stationery for the coming year furnished by your office and charged to that account.

PAPERS ACCOMPANYING AND FORMING A PART OF THIS REPORT.

A.—Sketch of public surveys in Dakota Territory.

B.—Estimates for the surveying service in this district.

C.—Statement showing the number of townships surveyed in Dakota, and area of land therein.

D.—Abstract account of the incidental expenses of the surveyor general's office for the year ending June 30, 1865.

I am, very respectfully, your obedient servant,

GEO. D. HILL,

Surveyor General of Dakota and Montana.

Hon. J. M. EDMUNDS,

Commissioner General Land Office, Washington, D. C.

B.—*Estimate of appropriation required for continuing the public surveys in the Territories of Dakota and Montana, for the salaries of the surveyor general and the clerks in his office, (as per act of March 2, 1861,) and for the incidental expenses of the office for the fiscal year ending June 30, 1867.*

For surveying township lines in Dakota.....	\$10,000 00
For subdividing 65 townships.....	20,000 00
For surveys in Montana.....	20,000 00
Total for surveys.....	50,000 00
For incidental expenses of office.....	\$2,000 00
For salary of surveyor general.....	\$2,000 00
For salary of chief clerk.....	1,600 00
For salary of principal draughtsman.....	1,300 00
For salary of assistant draughtsman.....	1,200 00
For salary of two clerks.....	2,200 00
Total for surveyor general and clerks.....	8,300 00

GEORGE D. HILL, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE,
Yancton, D. T., August 11, 1865.

C.—*List of townships surveyed in the Territory of Dakota from the 1st of July, 1864, to the 30th of June, 1865.*

No.	Township.	Range.	Area.
1	101 north.....	47 west, 5th meridian.....	15, 107. 82
2	102 north.....	47 west, 5th meridian.....	15, 123. 40
3	103 north.....	47 west, 5th meridian.....	15, 089. 45
4	104 north.....	47 west, 5th meridian.....	15, 059. 20
5	101 north.....	48 west, 5th meridian.....	23, 051. 57
6	102 north.....	48 west, 5th meridian.....	23, 007. 60
7	103 north.....	48 west, 5th meridian.....	22, 995. 56
8	104 north.....	48 west, 5th meridian.....	22, 904. 43
9	102 north.....	49 west, 5th meridian.....	23, 024. 54
10	103 north.....	49 west, 5th meridian.....	23, 031. 58
11	104 north.....	49 west, 5th meridian.....	23, 007. 85
12	101 north.....	50 west, 5th meridian.....	23, 037. 99
13	102 north.....	50 west, 5th meridian.....	22, 976. 46
14	103 north.....	50 west, 5th meridian.....	22, 942. 74
15	104 north.....	50 west, 5th meridian.....	22, 901. 32
90	Townships previously reported.....		313, 241. 51 1, 431, 758. 86
115	Total acres surveyed.....		1, 745, 000. 37

GEORGE D. HILL, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE,
Yancton, D. T., August 11, 1865.

D.—Abstract statement of the incidental expenses of the surveyor general's office for the fiscal year ending June 30, 1865.

For the quarter ending September 30, 1864.....	\$209 50
For the quarter ending December 31, 1864.....	386 70
For the quarter ending March 31, 1865.....	311 80
For the quarter ending June 30, 1865.....	538 07
Total.....	1,446 07

GEORGE D. HILL, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE,
Yankton, D. T., August 11, 1865.

D.

SURVEYOR GENERAL'S OFFICE,
Leavenworth, Kansas, August 25, 1865.

SIR: In accordance with your instructions of May 11, 1865, I herewith submit, in duplicate, my annual report, showing the condition of survey and the operation of this office in this district during the fiscal year ending June 30, 1865; also showing, as completely as my limited means of information would permit, the mineral, agricultural, and other resources of this district.

1. Names, duties, and salaries of persons employed in the office of the surveyor general during the year ending June 30, 1865.
2. Sums expended for salaries of surveyor general and clerks during the year ending June 30, 1865.
3. Expenditures of the office during the fiscal year ending June 30, 1865.
4. Amount of revenue tax paid by surveyor general and clerks during the year ending June 30, 1865.
5. The extent and cost of surveys executed in Kansas during the year ending June 30, 1865.
6. The same in Nebraska.
7. Numbers and area of townships, of which plats and descriptive lists have been transmitted to the department and local land offices during the year ending June 30, 1865, in Kansas.
8. The same in Nebraska.
9. Estimated expense, number of miles, and character of work for which contracts have been entered into in Kansas, and chargeable to appropriation of July 2, 1864.
10. The same in Nebraska.
11. Estimate of sums required for the extension of surveys in Kansas during the fiscal year ending June 30, 1867.
12. The same in Nebraska.
13. Estimate of sums required for office expenses for the fiscal year ending June 30, 1867.
14. Maps of Kansas and Nebraska showing the progress of the public surveys.

CONDITION OF PUBLIC SURVEYS.

My predecessor let twelve contracts out of appropriation of July 2, 1864, four in Kansas, and eight in Nebraska.

One of the contracts in Nebraska was cancelled by authority from the department.

Only three contracts in Nebraska, and a part of two in Kansas, were completed last year, owing to Indian hostilities.

I have let one contract in Nebraska out of appropriation of July 2, 1864, embracing a portion of cancelled contract No. 306.

All of the deputies started to the field as early as the season would permit, and as they could get escorts to accompany them.

Contracts 310, 311, 312, and that part of 309 that was not completed last year, have been completed, with the exception of the exterior lines of that portion of townships eleven and twelve north, of range eight west, and townships twelve north, of range seven west, and subdivisional lines of townships eleven, twelve, and thirteen north, of range eight west, and township twelve north, of range seven west of the sixth principal meridian, lying north of the Platte river, and embraced in contract No. 311. The deputies have asked to be released from completing said portion of their contract, and that the same be cancelled. They give as a reason for not completing it, that the Platte river was so high that it was impossible to cross it. The work of contracts 310 and 311 has been reported to your office.

The time for the completion of contracts 302, 303, 304, and that part of 301 that was not completed last year, has been extended to October 1, 1865, by authority from the department. The deputies were delayed several weeks waiting for escorts. From the latest information they were prosecuting their work vigorously, and I doubt not will complete their surveys within the time allowed them.

Messrs. Hackbusch and Armstrong were delayed at Omaha, Nebraska, four weeks waiting for an escort, which they obtained and departed for their work on the 12th of July last. It is very probable that they will not be able to complete their survey within the time allowed, on account of being thus delayed in getting to their work.

OFFICE-WORK.

In the draughtsmen's room there have been made two diagrams of the exterior lines of forty townships, one hundred and fourteen township plats of subdivisional work, plats of the James Washington and George Garrett floats, and four maps showing the progress of the public surveys in this district. Of these one diagram of exterior lines, thirty-eight township plats, plats of the James Washington and George Garrett floats, and three maps of Kansas and Nebraska, have been transmitted to the department, and thirty-eight township plats to the proper local land offices.

In the copyists' room, transcript of the field-notes of forty townships of exterior lines, and thirty-eight townships of subdivisional work, have been made and transmitted to the department, and twenty-six descriptive lists made and forwarded to the proper local land offices.

The usual number of letters have been written and recorded; also the usual number received and registered.

EXTENSION OF PUBLIC SURVEYS.

The travel across the plains this season has been very great. To show its immensity, it is only necessary to state, upon reliable authority, that seven thousand teams passed a given point in sixty days. Notwithstanding the continued Indian hostilities, the commerce between the Missouri river and the Territories of New Mexico, Colorado, and Utah, exceeds that of any year since the organization of this office.

It is safe to say that the immigration into this surveying district this season exceeds that of any year since 1857. Actual settlements are rapidly being made in various localities.

A new route along the Smoky Hill river has recently been opened up by the Butterfield Overland Despatch Company. It is said to be the best and shortest

road from the Missouri river to the mountains. There is living water every five miles, except from the head of Smoky Hill to the head of Sand creek, a distance of twenty-one miles. Grass, wood, and coal are abundant. Stations are being built all along the route.

Owing to the many depredations that are being committed by the Indians, the government has sent a number of regiments of soldiers out on the plains to subdue them. The men composing these regiments reside in various States of the Union. I doubt not many of them will be attracted by the superior advantages of that portion of the public domain, and when their terms of service expire will avail themselves of the benefit of the homestead law, and thus secure permanent homes, where they can open up farms with little expense, compared to that in the States from whence they came, and find a market easy of access to dispose of all their products at high prices.

The Pacific railroad will be the great band that will unite the Atlantic and Pacific oceans, by opening up a grand thoroughfare to commerce, and thereby inviting immigration from every nation, as well as our own, saying to emigrants, Come and secure homes for yourselves and families, where you can possess the soil, and establish all the various branches of industry, thus advancing civilization, making the wilderness to disappear in its onward march until the extreme east and the far west shall have become linked together by one unbroken chain of industrial classes of people.

In examining the reports of my predecessors I find there have been but few facts furnished concerning the soil, climate, and general fitness of this district for agricultural purposes.

The State of Kansas, containing an area of about eighty-seven thousand square miles, with its vast resources and natural advantages, is fully prepared to sustain the position that its geographical centre indicates. Nature's gifts have been bountifully bestowed upon the various avenues of wealth and commercial prosperity. Level valleys for railroads, natural thoroughfares leading to the gold fields, endless pastures for stock, taken in connexion with the high rates of agricultural productions consequent upon the increasing demands of western Territories, present a broad field for enterprise.

By the proposed and recent treaties with the Indians, whose lands have heretofore remained in comparative idleness, one of the greatest drawbacks to emigration has been removed, and a large portion of the richest land in the State thrown open for settlement. Good houses, surrounded by well-improved farms, are fast dispelling the appellation of "reserves."

The early history of Kansas, as well as the last four years of war, shows conclusively that she will prosper while laboring under great disadvantages. It is true that between rebels on the south and east, and hostile Indians on the west, she has materially suffered in every branch of industry; whole towns and villages have been destroyed by the ruthless hand of rebel invaders; but with energy, characteristic of her citizens, they have been rebuilt, remodelled, and improved, leaving but few traces to mark the unnatural and bloody crimes.

TOPOGRAPHY.

The general appearance of the surface bears a sameness peculiar to all prairie countries, but with less than the usual amount of flat, swampy, and worthless lands. No permanent swamp lands exist. The sudden rising of streams, caused by heavy rains, in some instances produces overflows, but with the cessation of rain the bottoms quickly become dry and tillable.

The water-courses of the State are well distributed and amply sufficient for all practical purposes; although none have proved navigable, quite a number furnish inviting points for mills and manufactories. Most of the streams have a gentle current, flowing over rocky and gravelly beds, with clear water, high banks, and abounding with different varieties of fish.

Timber is not superabundant, yet, as far as settlements have extended, there seems to have been sufficient to supply every want. The large timber is confined mainly to river and creek bottoms, and a smaller growth is generally found along the banks of ravines. Thrifty-growing underbrush is everywhere predominant, giving evidence that, if it were not for the sweeping prairie fires, young forests would spring up in all directions.

AGRICULTURAL.

As the welfare of a State is determined by her agricultural productions, Kansas, occupying a central position, with a soil and climate to meet all requirements, is entitled to rank among the first of new countries. All kinds of grain and vegetables, common to its latitude, are grown with successful crops. Hemp, tobacco, and flax are also productive. Quite a number of enterprising farmers have planted cotton with a view of experimenting, and were amply rewarded by its prosperous growth and favorable yield. Owing to the newness of the country the fruit crop is not practically demonstrated; but it is the opinion of experienced nurserymen that it will fully equal that of older States of the same latitude. The climate is peculiarly adapted to the culture of grapes, and several thrifty vineyards line the hill-sides adjoining this city, containing the different varieties and producing bountifully. The manufacture of wine was carried on to a considerable extent last year. The various kinds of small berries, known to other States, both tame and wild, grow in great profusion in this climate. Wild berries are found in the valleys and on the hill-sides bordering on rivers and streams. The advantages Kansas possesses for the raising of stock cannot be surpassed. The herds of cattle, sheep, and other animals that dot the prairie and meet the eye in all directions, is sufficient proof of this statement. Such is the mildness of the climate in the southern part of the State, that little or no provision is needed for their sustenance during winter. The small outlay attending their growth, with the home market produced by the great number required for transportation across the plains, makes a profitable return for industry.

The Territory of Nebraska contains an estimated area of eighty thousand square miles, and presents, from the soil, climate, and general productions, inviting prospects for immigration. It has all the improvements that are found in a new country, and possesses a great natural thoroughfare—the Platte valley—both for railways and wagon purposes, leading to the western Territories. A large portion of the emigration and trade to the mountains is seeking this well-known route across the plains.

Work on the Pacific railroad has already commenced, starting from Omaha, with the prospect of having one hundred miles completed this year. With the advantage and influence thus gained, it is safe to predict a successful completion. The limited means of ascertaining the exact situation and description of its geological and agricultural relations prevent me, at this time, from making as extended a report as the nature of its resources would suggest. The surface is generally high, gently rolling, gradually rising as it extends westward, and almost entirely free from low, marshy grounds. The valleys bordering on rivers and creeks are not generally subject to inundation, but have rich soil and are very productive. Vast prairies extend in all directions, with a diversity of soil, from the best alluvial and good upland to the gravelly ridges and barren sand-hills. These prairies are intersected by numerous streams of good water, and are skirted with a good growth of several varieties of timber, with underbrush of same in ravines and hollows.

The Platte, Niobrara, and Republican rivers are the largest water-courses in Nebraska. The first of these rises in the mountains beyond its western border, and pursues an easterly course, through the entire length of the Territory, until it forms a junction with the Missouri river. The Platte, though a large stream, is not navigable, and is remarkable for its extreme width and

shallow water. It is subject to high rises in early summer from the melting of snow in the mountains, but at other seasons of the year can be forded in many places. The broad and fertile valley through which it passes is attracting large numbers of emigrants, by whose industry extensive farms are becoming numerous. The Niobrara runs parallel and very near the northern boundary of Nebraska. Although it appears to be a stream of considerable importance, this office is in possession of very little knowledge concerning it or the country through which it passes. The Republican fork rises in Colorado Territory, and comes into Nebraska about midway between the fourth and fifth guide meridian west, pursuing an easterly course for nearly two hundred miles, and then crosses into Kansas. Its valley is broad, fertile, level, well timbered, and it has been selected as one of the proposed routes of the Pacific railroad.

From actual surveys in Nebraska, and other reliable data, are gathered encouraging reports of its adaptedness for agricultural purposes. All kinds of grain common to its climate are raised in abundance. It is also admirably adapted to the raising of stock of every description. No extended scientific investigation has been made of its geological formations. Coal is said to exist in several localities. I am not advised as to what success has attended the working of salt lands that were reported to your office.

MINERALS.

This subject, though offering a wide field for speculation, and forming a basis for the wealth and prosperity of a State, cannot be treated with justice in this connexion.

A geological survey of Kansas, under the direction of Professor G. C. Swallow, an eminent geologist, is now in progress, examining the valleys of the Smoky Hill, Saline, Republican, and Arkansas. I had been in hopes of gathering from this source some interesting information for this report, but owing to the lateness of its departure nothing can be obtained. Accidental discoveries, unaided by science, have produced the following results:

An irregular belt, averaging about fifty miles in width, the eastern boundary of which is near Fort Riley, belongs to the permian system; west of this, and extending beyond the western boundary of the State, the cretaceous rocks prevail. On the Saline fork and its tributaries salt springs are numerous, the water containing from six to twelve per cent. of salt, and will become very remunerative when cheap transportation can be furnished. Thick beds of excellent lignite exist on the Smoky Hill and Republican, and probably extend to the Arkansas river. Gypsum is found in abundance in a number of localities. Contrary to the generally received opinion, the valleys of the Arkansas, (within the borders of Kansas,) Smoky Hill, Solomon, and Republican are rich in soil, and, as far as settlements have been made, no difficulty has been found in raising abundant crops.

The valleys of the Platte, Smoky Hill, Saline, Republican, and Arkansas, in the western part of this district, are great natural thoroughfares, and present to the pioneer flattering inducements for permanent homes. The mildness of the climate in this region; the fertile soil of the bottom lands; the abundance of rock (on all except the Platte) for building and fencing purposes; the inexhaustible beds of coal; the adjoining uplands and parks covered with a peculiar vegetation, known as the "buffalo grass," on which stock subsist during the entire year, would indicate this portion of the public domain as capable of sustaining a large and thriving population whenever protection is afforded the settler from incursions of hostile Indians.

Very respectfully, your obedient servant,

H. S. SLEEPER, *Surveyor General.*

Hon. J. M. EDMUNDS,

Commissioner General Land Office, Washington, D. C.

No. 1.—Statement showing the names, duties, nativity, whence appointed, and rate of compensation per annum of persons employed in the surveyor general's office of Kansas and Nebraska during the year ending June 30, 1865.

Names.	Duty.	Nativity.	Whence appointed.	Term of service.	Salary per annum.
Daniel W. Wilder.....	Surveyor general	Massachusetts	Kansas	July 1, 1864, to March 31, 1865.....	\$2,000 00
Hiram S. Sleeper.....	Surveyor general	New York.....	Kansas	April 1 to June 30, 1865.....	2,000 00
Henry C. F. Hackbusch.....	Chief clerk.....	Prussia.....	Kansas	July 1 to 31, 1864.....	1,600 00
Lamar K. Hayhurst.....	Chief clerk.....	Pennsylvania.....	Kansas	August 1, 1864, to January 10, 1865.....	1,600 00
Hugh McKee.....	Chief clerk.....	Virginia.....	Kansas	January 11 to March 31, 1865.....	1,600 00
Henry C. Fields.....	Chief clerk.....	Pennsylvania.....	Kansas	May 1 to June 30, 1865.....	1,600 00
Lamar K. Hayhurst.....	Princ'l draughtsman.....	Pennsylvania.....	Ohio	July 1 to 31, 1864.....	1,300 00
William B. Covell.....	Princ'l draughtsman.....	New York.....	Kansas	August 1, 1864, to June 30, 1865.....	1,300 00
William B. Covell.....	Ass't draughtsman.....	New York.....	Iowa	July 1 to 31, 1864.....	1,100 00
Samuel P. Penn.....	Ass't draughtsman.....	New York.....	Kansas	August 1, 1864, to June 30, 1865.....	1,200 00
Henry B. Mitchell.....	Ass't draughtsman.....	New York.....	Kansas	April 5 to June 30, 1865.....	1,100 00
Henry S. Burr.....	Accountant.....	Ohio.....	Kansas	Entire year.....	1,200 00
John W. Wright.....	Copyist.....	New York.....	Kansas	July 1 to November 12, 1864.....	1,100 00
John H. Burr.....	Copyist.....	Ohio.....	Kansas	November 13, 1864, to March 31, 1865.....	1,100 00
John P. Sleeper.....	Copyist.....	New York.....	Kansas	April 1 to June 30, 1865.....	1,100 00
Michael K. Hennessey.....	Messenger.....	Ireland.....	Kansas	July 1 to December 31, 1864.....	1,400 00
James Bicknell.....	Messenger.....	England.....	Kansas	January 1 to June 30, 1865.....	400 00

No. 2.—Statement showing amount expended for salaries of surveyor general and clerks during the fiscal year ending June 30, 1865.

Quarter ending September 30, 1864.....	\$2,091 57
Quarter ending December 31, 1864	2,099 99
Quarter ending March 31, 1865	2,100 00
Quarter ending June 30, 1865.....	2,231 04
Total.....	8,522 60

No. 3.—Statement showing amount expended for rent of office and incidental expenses during the year ending June 30, 1865.

Quarter ending September 30, 1864.....	\$538 60
Quarter ending December 31, 1864	367 37
Quarter ending March 31, 1865.....	272 18
Quarter ending June 30, 1865.....	281 01
Total.....	1,459 16

NOTE.—The quarter ending September 30, 1864, includes \$65 for travelling expenses of surveyor general, chargeable to appropriation of July 2, 1864, for surveys in Kansas and Nebraska.

RECAPITULATION.

Salaries of surveyor general and clerks during the year, as per account rendered.....	\$8,522 60
Rent of office and incidental expenses, as per account rendered.....	1,459 16
Total.....	9,981 76

No. 4.—Statement showing amount of revenue tax paid by the surveyor general and clerks, on their salaries, during the fiscal year ending June 30, 1865.

Titles.	Quarter ending September 30, 1864.	Quarter ending December 31, 1864.	Quarter ending March 31, 1865.	Quarter ending June 30, 1865.
Surveyor general.....	\$17 50	\$17 50	\$17 50	\$17 50
Chief clerk.....	12 50	12 50	12 50	8 38
Principal draughtsman	8 75	8 75	8 75	8 75
Assistant draughtsman	7 07	7 50	7 50	7 50
Do.....				5 97
Accountant.....	7 50	7 50	7 50	7 50
Copyist.....	6 25	6 25	6 25	6 25
	59 57	60 00	60 00	61 85

Total tax paid..... **\$241 42**

No. 5.—Statement exhibiting the extent and cost of surveys executed in Kansas during the year ending June 30, 1865.

No. of contract.	Name of deputy.	Township lines.	Section lines.	Date of appropriation.	Date of contract.	Rate.	Amount for mileage.
		<i>Mls. chs. lks.</i>	<i>Mls. chs. lks.</i>				
301	McKee & Diefendorf.	.....	480 25 39	July 2, '64	July 28, '64	\$5	\$2,401 52
309	Furrow & Irwin	402 40 67	.....	.... do	Aug. 18, '64	6	2,415 05
		402 40 67	480 25 39				4,816 63

No. 6.—Statement exhibiting the extent and cost of surveys executed in Nebraska during the year ending June 30, 1865.

No. of contract.	Name of deputy.	Section lines.	Date of appropriation.	Date of contract.	Rate.	Amount for mileage.
		<i>Mls. chs. lks.</i>				
305	Paul & Armstrong	720 68 67	July 2, 1864..	Aug. 2, 1864..	\$5	\$3,604 28
307	Thiers & Preston	719 55 38	....do.....	Aug. 5, 1864..	5	3,598 46
308	Henry C. F. Hackbusch..	360 02 79	....do.....	Aug. 5, 1864..	5	1,800 17
		1,800 46 84				9,002 91

No. 7.—Statement showing description of lands, and area of same, for which township plats and descriptive lists have been furnished to the Junction City land office, Kansas, during the year ending June 30, 1865.

Township.	Range.	Area.	Duplicate plats; date when transmitted.	Descriptive lists; date when transmitted.
16 south	1 west	22,943.94	February 11, 1865	March 4, 1865
17 south	1 west	22,951.21	....do.....	....do.....
16 south	2 west	22,965.86	....do.....	....do.....
17 south	2 west	22,961.64	....do.....	....do.....
16 south	3 west	22,923.17	....do.....	....do.....
17 south	3 west	22,957.83	....do.....	....do.....
16 south	4 west	22,983.50	....do.....	....do.....
17 south	4 west	22,974.61	....do.....	....do.....
Total.....	.....	183,661.76		

No. 8.—*Statement showing description of lands, and area of same, for which township plats have been furnished to the Nemaha land district, Nebraska Territory, during the year ending June 30, 1865.*

Township.	Range.	Area.	Duplicate plats; date when transmitted.
5 north	1 west.....	23, 007. 22	June 23, 1865
6 north	1 west.....	23, 108. 20	.....do.....
5 north	2 west.....	22, 993. 98	.....do.....
6 north	2 west.....	22, 954. 15	.....do.....
5 north	3 west.....	23, 004. 01	.....do.....
6 north	3 west.....	23, 022. 99	.....do.....
5 north	4 west.....	23, 062. 82	.....do.....
6 north	4 west.....	23, 132. 96	.....do.....
6 north	5 west.....	22, 999. 49	.....do.....
Total.....		207, 285. 82	

No. 8.—*Statement showing description of lands, and area of same, for which township plats and descriptive lists have been furnished to the South Platte land district, Nebraska Territory, during the year ending June 30, 1865.*

Township.	Range.	Area.	Duplicate plats; date when transmitted.	Descriptive lists; date when transmitted.
7 north.....	1 west...	23, 049. 42	June 23, 1865.....	
7 north.....	2 west...	22, 808. 67	.....do.....	
7 north.....	3 west...	23, 034. 68	.....do.....	
9 north.....	1 west...	23, 056. 55	January 10, 1865 ..	March 4, 1865
10 north.....	1 west...	23, 056. 11	.....do.....	.....do.....
11 north.....	1 west...	23, 030. 63	December 1, 1864...	.....do.....
12 north.....	1 west...	23, 172. 86	.....do.....	.....do.....
9 north.....	2 west...	23, 086. 95	January 10, 1865 ..	.....do.....
10 north.....	2 west...	23, 150. 76	.....do.....	.....do.....
11 north.....	2 west...	23, 121. 90	December 1, 1864...	.....do.....
12 north.....	2 west...	23, 247. 78	.....do.....	.....do.....
9 north.....	3 west...	23, 051. 28	January 10, 1865 ..	.....do.....
10 north.....	3 west...	22, 983. 73	.....do.....	.....do.....
11 north.....	3 west...	23, 017. 92	December 1, 1864...	.....do.....
12 north.....	3 west...	23, 050. 09	.....do.....	.....do.....
9 north.....	4 west...	23, 069. 06	November 15, 1864..	.....do.....
10 north.....	4 west...	22, 947. 51	.....do.....	.....do.....
11 north.....	4 west...	22, 948. 66	.....do.....	.....do.....
12 north.....	4 west...	22, 961. 93	.....do.....	.....do.....
9 north.....	5 west...	23, 084. 98	.....do.....	.....do.....
10 north.....	5 west...	23, 019. 95	.....do.....	.....do.....
Total.....		483, 951. 42		

No. 9.—Statement showing the expense, (estimated,) number of miles, and character of work, for which contracts have been entered into for surveying in Kansas, not completed, and chargeable to appropriation of July 2, 1864.

No. of contract.	Name of deputy.	Stan'd lines.	Township lines.	Section lines.	Rate.	Estimated cost.
		<i>Miles.</i>	<i>Miles.</i>	<i>Miles.</i>		
301	McKee & Diefendorf.....	60			\$10	\$600
301	.....do.....		240		6	1,440
301	.....do.....			540	5	2,700
						4,740
302	Angell & Crane			1,500	5	7,500
304	Ruthruff & Spicer.....			960	5	4,800
309	Furrow & Irwin.....			660	5	3,300

o 10.—Statement showing the expense, (estimated,) number of miles, and character of work, for which contracts have been entered into for surveying in Nebraska, not completed, and chargeable to appropriation of July 2, 1864.

No. of contract.	Name of deputy.	Stan'd lines.	Township lines.	Section lines.	Rate.	Estimated cost.
		<i>Miles.</i>	<i>Miles.</i>	<i>Miles.</i>		
303	Short & McGregor.....	144			\$10	\$1,440
303	.....do.....		624		6	3,744
						5,184
310	Dennis C. Hathorn			360	5	1,800
311	Wilcox & Cosgray.....		126		6	756
311	.....do.....			548	5	2,740
						3,496
312	Irvin & Craw			720	5	3,600
313	Hackbusch & Armstrong.	90			10	900
313	.....do.....			1,020	5	5,100
						6,000

RECAPITULATION.

Total amount (estimated) in Kansas, not completed	\$20,340
Total amount (estimated) in Nebraska, not completed	20,080
Total.....	40,420

No. 11.—*Estimate of sums required for the extension of surveys in the State of Kansas during the fiscal year ending June 30, 1867.*

Surveys estimated.	Miles.	Rate.	Cost.
For running the second and third guide meridian west, from the first to the fifth standard parallel south, and the fourth guide meridian west, from the base line to the third standard parallel south	330	\$10	\$3,300 00
For running the first standard parallel south, from the third to the fourth guide meridian west; the second and third standard parallels south, from the first to the fourth guide meridian west; the fourth and fifth standard parallels south, from the first to the third guide meridian west.	528	10	5,280 00
For running the exterior lines as represented on the accompanying diagram	2,412	6	14,472 00
For running the subdivisional lines as represented on the accompanying diagram	16,000	5	80,000 00
Total			103,052 00

No. 12.—*Estimate of sums required for the extension of surveys in the Territory of Nebraska during the fiscal year ending June 30, 1867.*

Surveys estimated.	Miles.	Rate.	Cost.
For running the second guide meridian west, from the second to the seventh standard parallel north; the third guide meridian west, from the second to the fourth standard parallel north; the fourth and fifth guide meridians west, from the base line to the fourth standard parallel north	360	\$10	\$3,600 00
For running the first and second standard parallels north, from the third to the fifth guide meridian west; the third and fourth standard parallels north, from the second to the fifth guide meridian west; the third, fourth, fifth, and sixth standard parallels north, from the first to the second guide meridian west.	672	10	6,720 00
For running the exterior lines as represented on the accompanying diagram	2,550	6	15,300 00
For running the subdivisional lines as represented on the accompanying diagram	15,780	5	78,900 00
Total			104,520 00

RECAPITULATION.

Estimates for Kansas	\$103,052 00
Estimates for Nebraska	104,520 00
Total	207,572 00

No. 13.—*Estimate for sums required for office expenses for the fiscal year ending June 30, 1867.*

Salary of surveyor general	\$2,000 00
Salary of chief clerk	1,600 00
Salary of one examiner	1,400 0
Salary of principal draughtsman	1,300 0

Salary of assistant draughtsman.....	\$1,200 00
Salary of five draughtsmen, at \$1,100 each	5,500 00
Salary of one accountant	1,200 00
Salary of eight transcribing and copying clerks, at \$1,100 each	8,800 00
Salary of one messenger	600 00
Salary of one laborer	400 00
Office rent, fuel, and incidental expenses	3,000 00
Total	27,000 00

E.

SURVEYOR GENERAL'S OFFICE,
Denver, Colorado Territory, August 15, 1865.

SIR: I have the honor to submit the following report of the official transactions of this office for the fiscal year ending June 30, 1865, and to the present date, together with such items of interest in regard to the resources of this district as have come under my observation:

With the appropriation of \$20,000 for the fiscal year ending June 30, 1865, has been procured the survey of 325 miles of township lines, and 1,640 miles of subdivisional lines, at a cost of \$14,327. In addition to this, under the tenth section of the act of May 30, 1862, has been procured the survey of three miles of subdivisional lines at the expense of the settlers of the township surveyed. These surveys are set forth in the statement marked A, hereto appended.

The incidental expenses of this office, including rent, fuel, stationery, furniture, &c., for the year ending June 30, 1865, were \$985 42.

The account of salaries paid surveyor general, clerks, and draughtsman, for the same period, is \$7,179 61; this is shown in the statement marked B.

The statement marked C shows the surveys now in progress under the unexpended balance of the appropriation for the year ending June 30, 1865.

Statement D shows the townships subdivided during the fiscal year ending June 30, 1865, and the number of acres contained in the same.

No appropriation was made for the surveying service in this district for the year ending June 30, 1866.

In my communication of July 1, 1865, I submitted the following estimates for surveys and office expenses for the year ending June 30, 1867:

For surveying:

306 miles standard lines	\$4,260
980 miles exterior township lines	8,040
4,620 miles subdivisional lines	32,340

Total for surveying in Colorado **\$44,640**

For office expenses:

Salary of surveyor general	3,000
Salary of chief clerk	1,800
Salary of principal draughtsman	1,500
Salary of transcribing clerk	1,500
Salary of messenger	600

Total for salaries **8,400**
For incidental office expenses **2,000**

Grand total **55,040**

I have included in these estimates only such lands as are already occupied, or which present sufficient inducement to warrant their immediate occupation as soon as the land is surveyed.

IDAHO.

As there is still an unexpended balance for surveys in the Territory of Idaho, no estimates will be submitted for that portion of this surveying district.

UTAH.

Plats, field-notes, and contracts on file in this office show that at least the government has paid for extensive surveys in Utah; but all the information I can obtain tends to show that either the surveys were never actually made in the field, or that every vestige of them has been purposely destroyed. The Mormons do not recognize the title of the government to the lands, and have steadily refused to pre-empt or purchase. The time has now arrived when a respectable portion of the people of Utah are desirous of obtaining title to the land from the government, and the number of these is rapidly increasing. There can be no doubt that the true policy of the government in regard to Utah is to encourage the emigration to that Territory of a population less hostile to the United States than the present. To do this, Gentile emigration must have the chance of acquiring title to the land, and must be protected in that title. This cannot be granted them without a resurvey of the lands, and I cannot urge upon your notice the importance of such a survey too strongly. The newly-discovered silver mines of Utah, and the vast trade with other Territories are attracting to that Territory a large population of people who are loyal to the government. These people should have the opportunity they desire of acquiring property in land.

Under the act of May 5, 1864, to "vacate and sell the Indian reservations in Utah, except that in Uinta valley," &c, and, under instructions from your office, I have entered into a contract with Joseph Clark, of Salt Lake City, for the survey and subdivision into forty-acre lots, of the Spanish Fork, San Pete, Corn Creek, and Deep Creek reservations. This survey is now in progress, but the interruption of the mails by Indians has prevented me from receiving any report from the deputy employed.

COLORADO.

The extreme limit of the amount of land capable of cultivation in Colorado will not vary much from 2,500,000 acres. Of this amount about 260,000 acres are now under cultivation, consisting, for the most part, of the lower bottom lands along the streams. No land can be cultivated without irrigation, and the quantity of land capable of cultivation is limited only by the amount of water in the various streams, as the fall of the stream is so great that all the water can be used. Only the early varieties of corn can be raised here, and that mostly in the southern part of the Territory. No country can produce better crops of small grain than Colorado. The average yield of wheat per acre for the year 1864 was over 30 bushels. One field carefully measured, averaged 63 bushels per acre; and from single selected acres 100 bushels were harvested. Of vegetables I may safely say that the crop, per acre, of Colorado, is fully double that of any country I have ever visited, and the quality better. The only drawback to the cultivation of land is the grasshopper. Last fall the grasshoppers came in and destroyed the late crops and laid their eggs here, which hatched this spring, and remaining until large enough to fly, have destroyed all of two-thirds of the grain crop of the Territory. They have gone now, and the country is probably rid of them for the coming year at least. The farmers here estimate that if they can secure one crop in three years they can make money. Take the crops of

last year as an example. A farmer put in 100 acres of wheat which harvested 30 bushels to the acre, and the lowest price of wheat throughout the year was ten cents per pound, or \$6 per bushel.

30 bushels per acre, at \$6	\$180	
100 acres, gross cash		\$18, 000
Cost of 160 acres	\$200	
Six yoke of oxen	600	
Four men six months	1, 800	
Water for irrigation	300	
Cost of tools	1, 000	
Contingencies, say	1, 000	
Total expenses		4, 900

Leaving a net profit of..... 13, 100
over the whole cost of farm and working.

As this estimate leaves 60 acres to be used for other crops, you will see that it is low.

In addition to this any farmer can keep as many cows as he pleases by herding them on the vacant lands, and at the expense of a single boy to herd them. The average price of dairy products for the past year has been—cheese, forty cents per pound; butter, seventy-five cents per pound; milk, twenty cents per quart; and beef, fifteen cents per pound. The average price per pound of vegetables has been, for the same period—potatoes, ten cents; parsnips, beets, and carrots, twelve cents; squashes and pumpkins, five cents; onions, fifteen cents; cucumbers, five cents; cabbage, fifteen cents, (the latter are now worth fifty cents per pound;) and other things in the same proportion.

During the four years that I have lived in this Territory, the market has been overstocked but once, and that only on the single article of potatoes. I make these statements in order to show what inducements Colorado offers to farmers.

No fruit has been raised here yet, owing to our farmers not understanding the proper method of irrigating fruit trees. The abundance of wild fruits, plums, cherries, grapes, raspberries, strawberries, &c., and the success of fruit-growing in Salt Lake valley, would indicate that Colorado will yet succeed in this branch of agriculture.

Sheep-raising has for years proved a success in the southern portion of the Territory, but in the northern has attracted little attention, although no country could be better adapted to the purpose. One man, with the help of a few dogs, will take care of from one to two thousand sheep during the whole year, herding in the mountains during the summer and on the plains in the winter; the sheep will need no hay, and will keep in a good condition. Cattle will live on the plains through the year, but in very severe weather need some feed and shelter.

CLIMATE.

The winters of 1861, 1862, and 1863 were very mild, there being but few cloudy days and very little snow; the two succeeding winters were very cold, the winter commencing the middle of October, and continuing until the last of March, the thermometer indicating on two different nights 32° below zero, although the days were generally warm and pleasant. The summers are dry and hot during the day and cool at night on the plains; always cool and pleasant in the mountains. During the months of June, July and August, light showers generally occur every afternoon near the foot of and in the mountains; during the rest of the year rain rarely falls.

This summer, for the first time, wheat has matured on uplands without irriga-

tion. The great drawback to the settlement of Colorado is the want of system in the method of irrigation. At present each farmer, in addition to his other expenses, has to dig his own irrigating ditch of perhaps several miles in length, at a heavy expense. This confines the farms to the low bottoms. An emigrant generally leaves the Missouri river early in the spring and arrives here in time to make a crop provided he could find a farm already prepared for working; this he cannot do, and to dig the ditch necessary to irrigate a farm will consume the whole summer and take more money than most emigrants have. The consequence is that thousands come here, spend a few days trying to get a farm, and go on further west. What is needed to correct this is that ditches be taken from the streams in or near the base of the mountains, and kept at as high an elevation as possible along the divides between streams, thus furnishing water to belts of land measuring from one to over fifty miles in width; a ditch taken from the Platte river where it leaves the mountains, and carried at the usual grade, would be four hundred feet above the river, opposite Denver, or at an elevation sufficient not only to follow the crest of the divide between the Platte and Cole creek, but to turn back up and across Cole creek, and command the whole country between Cole creek and Terrapin creek—an area of 350,000 acres at least. It is my decided opinion that a law granting the alternate sections of land irrigated to the parties building ditches of the character indicated, and doubling the price of the remaining land, would be encouragement enough to secure the capital needed, and will work a benefit both to the country and to the government, especially as the land proposed to be improved is now worthless, or at least cannot be sold by the government.

TIMBER.

The mountains of Colorado are, as a general thing, well timbered, but on the plains 300,000 acres will cover all the land that contains any timber, and on much of this it is very scattering. Portable saw-mills are moved from place to place in the pineries, and the best of the timber is culled and sawed. It has been my design to survey and bring into market this land, in order to prevent the waste of timber that this system of operations must produce, but the limited appropriations and the pressing wants of farmers have prevented.

COAL.

To a geologist nothing can be more certain than that at least one-third of the plains of Colorado contain coal, and it has been found in enough localities to prove that that theory is correct. As yet very few coal veins have been opened and worked, and most of these are on lands that had been surveyed previous to the discovery of the coal, so that the amount found and returned by the surveyors is comparatively small. In a country where there is not a stream that does not contain some indications of coal, it is difficult to say what land should be reserved as coal land, and I have colored on the plats only such land as is proved to contain workable veins that are accessible.

IRON.

A small iron furnace is in operation on the Boulder, near Boulder City, working what is known as "kidney ore," which is found in beds along the foot of the mountains throughout the Territory, and yields about 30 per cent. of iron. Spathic ore, yielding 70 per cent. of iron, is found in veins near Golden City, and there is no part of the Territory that does not produce iron in some workable form. Rolling mills will probably be erected during the coming year at Golden City, for the purpose of preparing railroad iron for the railroad from Golden City to Central, and for use at the mines. There is no reason why the iron for a portion of the Pacific railroad should not be manufactured here.

OTHER MINERAL PRODUCTS.

Alum, salt, petroleum, gypsum, soda, lime, lead, copper, antimony, zinc, silver and gold, are found in various parts of the Territory. But one saline is yet worked, located in the South Park, and worked only in a small way; price of salt, 20 cents per pound. Petroleum wells are in operation near Carson City, on Oil creek, producing about two barrels per day; price of refined oil, \$3 per gallon. Other oil springs are found along the base of the mountains, but are not worked. A small mill for grinding gypsum is running on Bear creek. Lead, copper and antimony, though abundant and a great source of future wealth, will not pay for mining now, and must wait the coming of the railroad.

SILVER.

Late in the fall of 1864, silver was discovered on the high mountains near the headwaters of South Clear creek, but the lateness of the season, and the great altitude, prevented any development until this summer. There are now some 300 miners at work in that district, with every prospect of success. The ore assays from \$400 to \$2,000 to the ton of silver, but how extensive the veins are is yet to be determined, though enough has been done to prove that they are workable. These veins are found at an elevation of from 11,000 to 12,000 feet above the sea, or above the limits of timber, in a portion of country to which access is had only by a horse trail, so that it will consume the rest of this summer to get a road built, and fairly test the ores by the application of machinery.

GOLD.

Gold mining is almost at a stand-still; only 1,500 ounces per week is being produced in the whole mining region of Colorado, and the product for the year will not exceed \$1,000,000. This result has been brought about by speculation, high prices of labor and the Indian war.

The speculations of last year caused an entire stoppage of all the old mills in order to introduce new machinery. This new machinery is now just beginning to arrive, having been stopped at the Missouri and on the plains by the Indian troubles, and the consequent high price of freight, which rose during the winter to 25 cents per pound, and even now stands at 15 cents. A few of the new mills are now in motion, but at the present cost of labor, and everything else, they cannot more than pay expenses. Many companies are doing nothing; some waiting for better times; some waiting for machinery; some experimenting on new processes, and some fooling away their money by trusting their affairs to ignorant men, and some who never intended to mine outside of Wall street. Labor is from \$6 to \$10 per day; board \$20 per week; hay, in the mines, during the winter was 25 cents per pound, and in the summer 4 cents; grain of all kinds from 18 to 25 cents per pound; wood from \$10 to \$20 per cord. Even at these prices there are many mines which pay largely.

After a mine is well opened, and all machinery ready and in order, by the stamp mill process, a ton of ore can be mined and treated for thirty dollars per ton. If all the gold could be extracted the profits would be enormous; but, in practice, the stamp mill does not save, on an average, more than twenty per cent. of the assay, making an ore that will assay two hundred dollars per ton, worth only forty dollars, or but ten dollars per ton profit on the richest ore here. There are, perhaps, ten lodes now worked in the Territory that contain over \$200 in gold to the ton, and these alone can be worked now at a profit. The number of lodes that contain from \$50 to \$150 per ton is almost countless, all of which could be worked with profit with labor at \$2 per day, or by any process that would extract ninety per cent. of the gold. The first object can be attained

only by the building of the Pacific railroad to some point within the Territory. Every hundred miles of that railroad completed will add hundreds to the lodes that will be worked, and when the whole is completed there is not one of the thousands of lodes in Colorado that will not contribute its share to the wealth of the nation. The government will expend this year on the Indian war, and the protection of the line of communication, enough money to build the railroad to this point. The railroad would put an end to all trouble with the Indians, and add millions to the resources of the nation. The government gives to the railroad companies enough to build the road, and yet, after three years of talking, not one bar of iron is laid west of the Missouri river.

It is strange that our people, after years of toil and hardships, have lost all confidence in the intention of the railroad companies to build the railroad, and think that unless the government itself assumes the control of the road and builds it, they may as well abandon the country and return to the States, as many have already done.

The question whether any process could be invented which would save all the gold in the ore is being tested by every miner here, and two processes have been introduced which bid fair to succeed. The first is a disintegrating process by which the ore is reduced by the means of super-heated steam, and at the same time freed from sulphur. It is then amalgamated perfectly, so that ore which yielded but \$20 per ton, under stamps, yielded \$200 per ton, and an assay of the tailings showed no gold. The other process first crushes the ores, dresses them with water until nothing but the sulphurets remain; these are then smelted with lead and other fluxes in a furnace, and the whole drawn off into kettles and allowed to cool, when the gold and silver are found in the lead, while the copper and iron remain in the slag. The lead is then roasted off, leaving the gold and silver. Both these processes are new here, and will have to stand the test of working on a large scale, but the experiments, so far, indicate success; should they succeed as well as it is hoped, they will render useless much of the machinery that has been brought here, and revolutionize the whole system of mining in Colorado.

COPPER.

All the gold-bearing ores of Colorado are sulphurets of copper, and contain from 10 to 35 per cent. of that metal. At present the copper is not worth smelting, except, perhaps, a single furnace might afford to run on the local demand. The extraction of the gold only prepares the ores for reduction to copper, and as soon as the railroad is finished any amount of copper can be smelted.

MISCELLANEOUS.

A railroad is projected and the survey being made to connect the gold mines of Galpin county with the coal mines and water-powers on Clear creek, near Golden City. This road is becoming a necessity on account of the scarcity of wood in the mines. By it the ore will be brought down to the coal to be treated, and the coal will be carried up to the mines for hoisting ore. This road will be built from iron made here, and will be 22 miles long.

The overland stage company are now engaged in making a wagon road from Provo, in Utah, to this place direct. This road will shorten the overland route about 100 miles, and passes through the finest agricultural portion of Colorado, and a part, too, which as yet has not been settled and which will need surveys as soon as the road is opened. In spite of the stoppage in the mines the Territory has every appearance of prosperity. The towns are being built up with brick buildings, and town property has advanced in value. Farms begin to show the effects of improved cultivation, and neat and comfortable farm-houses are taking the place of the first cabins of the settler.

Farms are worth as many thousands as they were hundreds two years ago, and a permanent population is taking the place of those who came here to make money and leave.

Steps are being taken to organize a State government with a fair prospect of success, and there is a growing confidence in the future welfare of Colorado. That wealth and prosperity awaits us there can be no doubt, and that wealth and prosperity only awaits the arrival of the railroad.

With the firm belief that the government will do all in its power to develop the interests of this rich mining country,

I remain, very respectfully, your obedient servant,

JOHN PIERCE,

Surveyor General of Colorado and Utah.

Hon. J. M. EDMUNDS,

Commissioner General Land Office, Washington, D. C.

A.—Statement of the surveys made under the appropriation for the fiscal year ending June 30, 1865.

No. of contract.	Name of deputy.	Miles.	Chains.	Links.	Cost.	Remarks.
16	William Ashley	750	71	00	\$5,325 89	Township and subdivisional.
17	Hiram Witter	886	17	59	6,202 21	Subdivisional.
18	A. Z. Sheldon .....	.....	.....	.....	.....	Township.

Statement of surveys made under the act of Congress approved May 30, 1862.

No. of contract.	Name of deputy.	Miles.	Chains.	Links.	Cost.	Remarks.
19	Charles P. Moffett	3	30	80	\$23 68	Subdivisional.

B.—Statement of amount of salaries paid surveyor general and clerks for the fiscal year ending June 30, 1865.

Name.	Occupation.	Nativity.	Whence appointed.	Time of service.	Amount paid.
John Pierce	Surveyor general ..	Connecticut ..	Colorado ..	Entire year ..	\$3,000 00
E. M. Ashley	Chief clerk	Ohio	Colorado ..	Entire year ..	1,800 00
F. J. Ebert	Draughtsman	Germany	Colorado ..	9 days	36 68
R. Fisher	Draughtsman	Rhode Island ..	Colorado ..	8½ months ..	1,067 93
S. M. Moffett	Transcribing clerk ..	New York	Colorado ..	9 months	900 00
J. K. Ashley	Messenger	Illinois	Colorado ..	9 months	375 00
Total .....	.....	.....	.....	.....	7,179 61

C.—Statement showing the surveys contracted for under the unexpended balance of the appropriation for the fiscal year ending June 30, 1865.

No. of contract.	Name of deputy.	Style of work.	Estimated No. miles.	Estimated cost.	Remarks.
22	Albert Pickering	T'p and subdivisonal	350	\$2,500	In progress.
23	William Ashley	Subdivisonal.....	170	1,200	In progress.
	Total.....	.....	520	3,700	

D.—Statement showing the number of townships surveyed during the year ending June 30, 1865, and the area of public land contained in the same.

DESCRIPTION.		Area in acres.	Remarks.
Township.	Range.		
1 south	66 west..	22,929.90	Surveyed by Wm. Ashley, contract No. 16.
4..do.....	66..do..	22,967.60	Do.....do.
5..do.....	66..do..	23,014.51	Do.....do.
3..do.....	67..do..	22,868.56	Do.....do.
5..do.....	67..do..	22,957.08	Do.....do.
3 north	68..do..	22,990.90	Do.....do.
4..do.....	68..do..	22,875.14	Do.....do.
3..do.....	69..do..	22,935.64	Do.....do.
4..do.....	69..do..	23,148.61	Do.....do.
5..do.....	69..do..	23,069.39	Do.....do.
2..do.....	70..do..	21,985.14	Do.....do.
3..do.....	70..do..	14,940.80	Do.....do.
5..do.....	65..do..	23,004.31	Surveyed by Hiram Witter, contract No. 17.
6..do.....	65..do..	22,937.04	Do.....do.
3..do.....	66..do..	23,034.38	Do.....do.
4..do.....	66..do..	22,937.04	Do.....do.
5..do.....	66..do..	23,073.84	Do.....do.
6..do.....	66..do..	23,060.71	Do.....do.
5..do.....	67..do..	22,993.12	Do.....do.
6..do.....	67..do..	23,001.16	Do.....do.
1..do.....	68..do..	23,007.05	Do.....do.
5..do.....	68..do..	23,037.60	Do.....do.
6..do.....	68..do..	23,012.77	Do.....do.
7..do.....	68..do..	22,958.73	Do.....do.
1 south	69..do..	22,874.66	Do.....do.
7 north	69..do..	18,608.96	Do.....do.
8..do.....	69..do..	18,639.32	Do.....do.
1..do.....	71..do..	2,357.60	Surveyed by C. P. Moffett, contract No. 13.
22 previously rep'd.....		605,151.56	Surveyed in 1864.
		592,131.43	Surveyed in 1862 and 1863.
Making.....		1,197,282.99	Acres surveyed in Colorado.

F.

SURVEYOR GENERAL'S OFFICE,

Santa Fé, New Mexico, August 7, 1865.

SIR: I have the honor to submit herewith my annual report upon the condition, wants, and resources of this surveying district.

PUBLIC SURVEYS.

No public surveys have been contracted for or executed in this district during the past year, because, chiefly, of the continued hostility of the Indians.

SYSTEM OF SURVEYING.

I regret that the bill which passed the House of Representatives during the first session of the last Congress empowering the Commissioner of the General Land Office to change the system of surveying in the Territories of the United States, so as to conform the system to the wants of the country, failed to become a law. I beg leave to refer to that portion of my annual reports for the years 1863 and 1864 devoted to this subject, and to again urge the importance to the government and to the people of the Territories of the adoption of this measure. The surveyor general of Colorado, in his annual report of 1864, has a similar recommendation with reference to surveys in the valley of the Rio Grande del Norte and its tributaries. Some of his reasons are equally applicable to all of the mountain territories. None but the irrigable lands can be cultivated; none others, except the timber and mineral lands, will be sold, and therefore none but these should be surveyed.

I have again to urge the justice of the claims of settlers upon the public lands who reside in towns or villages in New Mexico and Arizona to a pre-emption or homestead right to the lands cultivated by them in the vicinity of such town or village. These pioneers, who settle upon the frontier and live in constant warfare with the Indians; who, at the peril of their lives, reclaim and cultivate the small tracts of land in the neighborhood of the hamlet where their families are gathered together for mutual protection, are justly entitled to the consideration and protection of the government. I trust Congress will acknowledge the justice of the claims of this class of settlers upon the public domain, and so amend the pre-emption and homestead laws as to protect them in their rights.

PRIVATE CLAIMS.

No progress has been made by this office during the past year in the investigation of claims to land under grants from the governments of Spain and Mexico. The claimants seem to be satisfied with the present condition of their titles, and therefore do not present them, considering, probably, that those which are valid are so without any investigation or approval by this office, or congressional action; and that it is better not to bring to light those which are doubtful or known to be invalid.

I respectfully refer to that part of my annual reports for the years 1862, 1863, and 1864 relating to these claims, and to urge that some action be taken in the premises which shall result in their separation from the public domain.

Mr. David J. Miller, translator in this office, has, under my direction, translated into English a large number of ancient Spanish manuscripts relating to these claims.

I am informed that the legislative assembly of the Territory of Arizona passed an act at its last session requiring the claimants under grants from Spain or Mexico to record their muniments of title in the office of the recorder of the county where the land claimed is situated prior to the first day of January,

1866, under the penalty, in case of neglect or failure, of being debarred the privilege of maintaining actions in the courts of that Territory for their possession. This is a step in the right direction, and I trust it will lead to the segregation of the valid claims from the public lands, so that settlements and the public surveys may be extended without danger of infringing upon private vested rights.

EXPLORATIONS.

To enable me to act understandingly in contracting for work in the field, and to fix upon the initial point in Arizona for a meridian and base line for that Territory, I left Santa Fé on the 7th of January last, and made an extensive reconnoissance over that part of this district west of the Rio Grande, a full report of which I made to your office in my letters dated March 13 and May 24 of the current year, copies of which, with immaterial portions omitted, are hereto annexed, marked A and B, and made part of this report.

MINES AND MINING.

Less progress has been made in the development of the mines of New Mexico and Arizona during the past year than was expected a year since. The hostility of the Apaches and other tribes of Indians, and the absence of sufficient military force to give protection to the miners, have prevented immigration to the country and the investment of capital. Now that the rebellion is at an end, it is hoped that a sufficient force will be brought against these Indians to conquer and collect them upon reservations, and thus give peace and security to the country and people.

I find it impossible to ascertain, even approximately, what the production of gold and silver has been during the year past. Some gold has been obtained from washings at the old and new placers, twenty-five to thirty-five miles south of Santa Fé. The works erected at the old placer some years since, for the reduction of the quartz of the Ortiz mine, have not been in operation during the year. A quartz-crushing mill is now in process of erection about ten miles south of the Ortiz mine, near the new placer, for the reduction of the gold-bearing quartz of that vicinity, many veins of which are being prospected and found to be rich in the precious metals.

At Las Cruces furnaces for the reduction of the argentiferous ores found in the Organ mountains, about fifteen miles east of that place, were erected last winter, and have been in operation for several months.

At Pino Alto, about one hundred miles northwesterly from Las Cruces, there are, I am informed, between two and three hundred persons engaged in mining, some in washing and others in reducing, by means of *arrastras* worked by mules, the gold-bearing quartz, many veins of which, in addition to those formerly known and worked, have been discovered during the past year.

The range of mountains known in its different parts as the Mogollon, Sierra Blanca, and San Francisco, forms a junction with the Sierra Madre, near Pino Alto. Both ranges being mineral bearing, the vicinity of the point of intersection, according to the theory of geologists, is a region most favorable for the exhibition of great mineral wealth. Veins of argentiferous galena and silver ore, in other forms, have been discovered in that neighborhood; but none have as yet been worked. Copper mines of great richness and extent exist also in that vicinity. Two of them, viz., the Santa Rita and Hanover, have been extensively and profitably worked. Iron ore in inexhaustible quantities, and yielding a large percentage of metal, is also found near these mines of copper and silver. The Pino Alto or Mimbres mountains are covered with pine, cedar, and oak timber, affording abundance of material for lumber and fuel, and timber for all purposes connected with mining. There is also a sufficient supply of water.

If a strong military post were maintained at Pino Alto for a year or two

sufficient to keep in subjection the Apache Indians, miners would flock thither, taking with them capital and machinery, and the development of the mineral wealth of that region would be speedy and certain.

I have little to add to what I have said in my letters of March 13 and May 24, hereto annexed, concerning the mines of Arizona. Messrs. Vickery & Co. passed through Albuquerque in June last, with a fine quartz mill, destined for the mines near Prescott; and I have information that several mills have been brought to that Territory from California, some of which, I suppose, are now in operation.

Whenever we have conquered a peace with the hostile tribes of Indians, now making every part of that Territory unsafe for the white man, labor will seek that promising field, capital and machinery will follow, and Arizona will take her proper place among the richest mining districts of this continent.

AGRICULTURE.

The cultivable lands of New Mexico and Arizona are confined exclusively to the valleys of streams, affording facilities for irrigation. The most of the valley lands are well adapted to this system of cultivation, the surface of the streams at low water being rarely more than five or six feet below the common level of the alluvial bottom on either side, and their descent is generally so rapid that the water is easily conducted over the bordering lands.

The irrigable lands along the Rio Grande, the Gila and Colorado rivers, are extensive, affording facilities for a wide system of irrigation; and, with the high prices and ready market for all agricultural products, and the genial and healthy climate, offer inducements for the immigration and settlement of the agriculturist not presented by any other section of our country.

The agricultural products of New Mexico and Arizona include all the cereals and most of the vegetables grown in a temperate climate. On the lower Gila and on the Colorado of the West cotton and sugar-cane may be grown with success. Two crops—one of wheat, succeeded by one of corn or beans—are usually grown by the Indians inhabiting that region. Land which has been under cultivation and producing crops annually for more than a hundred years still, with the very primitive and slovenly culture of this country, produces good crops when sufficiently irrigated. It is against all rule to renew the land by manuring; the sediment deposited by the water used in irrigation serves this purpose.

It appears by the census report of 1860 that there were in that year 446,075 bushels of wheat and 710,605 bushels of corn produced in New Mexico. This includes also that produced in what is now the Territory of Arizona. It is impossible to obtain any satisfactory statistics of the agricultural products of these Territories since 1860. In 1861 and 1862 there was an invasion and occupation of portions of both Territories by the rebel Texans, which interfered seriously with agricultural operations for those years. The Indians have been more than usually troublesome. The volunteers in the army were largely taken from the agricultural class, thus diminishing the amount of labor. The seasons have been unusually dry. All of these causes have contributed to diminish production; and hence, although there has been an increase in population, it is probable there has been no increase in the agricultural products.

New Mexico and Arizona are peculiarly adapted to pastoral pursuits. The table lands, and to some extent the mountains, are covered with most nutritious grasses, affording excellent grazing throughout the year. One variety of the gramma starts with the summer rains, and matures during the rainy season—in July and August—and is cured as hay by the sun and wind of early autumn. This variety bears a large amount of seed, and furnishes excellent grazing, equal almost to grain with hay. The blue or black gramma grows in bunches, the lower joints of which remain green throughout the year. This

variety, for a winter grass, is more highly valued than that described above; but I have never seen it further north than about latitude 35°. In southwestern Arizona there is a grass called the "galleta," which is highly prized. Its habits are much the same as those of the black gramma, though unlike in appearance, its leaves being broader and the stalk much larger. This grass I have never seen north of latitude 34°. There are also other grasses, among them the "saratón," a coarse grass, found upon the low bottoms and in wet places; the buffalo grass, upon the plains, and the bunch grass of the mountains—the two latter excellent in their season. There are no flies or mosquitoes to annoy the herds, and disease is almost unknown.

There is water during some portion of the year, at convenient distances; so that nearly the entire surface of these Territories may be pastured whenever the Indians are disposed of, so that flocks and herds may be kept with safety.

TIMBER.

Along or in the neighborhood of most of the streams there is sufficient timber for fuel and for other purposes of domestic use. All stock being herded, it is not customary to fence the cultivated lands; hence little timber is used for this purpose. The timber on the low grounds along the large streams is chiefly cotton-wood and willow, and upon the mountains pine, fir, cedar, a scrubby oak, and aspen. The piñon—a low variety of the pitch-pine, bearing an edible nut—the cedar, and a variety of the live oak, grow upon the lower mountain slopes and upon the table lands, in many places forming dense forests. South of latitude 35°, on the dry lands near the streams, and on the lower table lands, the mesquit—a variety of the acacia—forms in many localities the principal growth, and furnishes an abundance of the best of fuel, the roots as well as the tree being used for that purpose. Along the mountain streams, and especially along those in the middle and southern parts of the district, the walnut, ash, hackberry, box-elder, cherry, cottonwood, and willow constitute the principal growth, the trees in places attaining sufficient size to be sawed into lumber.

As a rule, the mountains of New Mexico and Arizona are timbered, some of them sparsely, but others, for considerable areas, are covered with dense forests. Exceptions to this rule occur in many of the isolated mountains in western Arizona, in the region south of the Gila river, and in some of the mountains east of the Rio Grande, south of latitude 35°.

MISCELLANEOUS.

I have received no communication of any character from Hon. Levi Bashford, late surveyor general of Arizona, since that Territory was annexed to this district. I cannot learn that he entered into any contracts or performed any act as surveyor general requiring the attention of this office.

Nothing further has been done with the suspended surveys of Mr. Thomas Means, noticed in former reports.

There having been no additional surveys of the public lands executed in this district since my last annual report, I do not accompany this report with a map.

The several documents accompanying this report are as follows, viz:

A.—Letter of March 13, 1865, report in part of exploration west of the Rio Grande.

B.—Letter of May 24, 1865, conclusion of report of exploration.

C.—Estimates of appropriations for the fiscal year ending June 30, 1867.

D.—Amount of expenditures for fiscal year ending June 30, 1865.

Very respectfully, your obedient servant,

JOHN A. CLARK,

Surveyor General of New Mexico and Arizona.

Hon. J. M. EDMUNDS,

Commissioner of the General Land Office, Washington, D. C.

The United States in account with the office of the surveyor general of New Mexico and Arizona on account of salaries, incidental expenses and surveying for the fiscal year ending June 30, 1865.

DR.

SALARY ACCOUNT.

CR.

For expenditures during the third quarter 1864.....	\$1,250 00	Brought forward.....	\$4,464 83
Do.....fourth quarter 1864.....	1,250 00	By balance unexpended June 30, 1864.....	\$5,357 66
Do.....first quarter 1865.....	920 00	By appropriation of June 25, 1864, for surveyor general and clerks.....	4,000 00
Do.....second quarter 1865.....	1,024 83	By appropriation of June 25, 1864, for translator.....	500 00
			9,857 66
		Unexpended balance.....	5,392 83

DR.

INCIDENTAL EXPENSE ACCOUNT.

CR.

For expenditures during the third quarter 1864.....	\$118 79	Brought forward.....	\$409 60
Do.....fourth quarter 1864.....	100 82	By balance unexpended June 30, 1864.....	\$3,912 31
Do.....first quarter 1865.....	81 62	By amount received for sale of blank books to quartermaster.....	27 00
Do.....second quarter 1865.....	108 37	By amount received for sale of copying press to collector.....	23 65
			3,962 96
		Unexpended June 30, 1865.....	3,553 36

DR.

SURVEYING ACCOUNT.

CR.

For appropriation for Arizona per act of March 3, 1863.....	\$5,000 00	Brought forward.....	\$25,000 00
Do.....New Mexico per act of June 25, 1864.....	10,000 00	By travelling expenses of surveyor general, 1865.....	315 50
Do.....Arizona per act of June 25, 1864.....	10,000 00		24,684 50
		Unexpended June 30, 1865.....	

SURVEYOR GENERAL'S OFFICE, Santa Fe, New Mexico, August 7, 1865.

JOHN A. CLARK, Surveyor General.

Estimates of appropriations required for the office of the surveyor general of New Mexico and Arizona, for the fiscal year ending June 30, 1867.

ON SALARY ACCOUNT.

Compensation of—	Amount.	Remarks.
Surveyor general.....	\$3,000 00	Compensation fixed by organic act of July 22, 1854. To perform also the duties of chief clerk. To be also computer of surveys.
Translator.....	2,000 00	
Draughtsman.....	1,750 00	
Total	6,750 00	

ON SURVEYING AND INCIDENTAL EXPENSE ACCOUNT.

Object of appropriation.	Amount.
For public surveys, continuing survey of base, meridian, township, and sub-divisional lines in New Mexico.....	\$7,500 00
For public surveys, continuing survey of base, meridian, township, and sub-divisional lines in Arizona.....	10,000 00
For fuel, office rent, stationery and incidental expenses.....	1,000 00
For messenger and watchman.....	200 00
Total	18,700 00

JOHN A. CLARK, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE,
Santa Fé, New Mexico, August 7, 1865.

TUBAC, ARIZONA, *March 13, 1865.*

SIR: I left Santa Fé on the 7th of January in the stage for Las Cruces, where I arrived on the 12th of the same month, expecting to proceed thence on the 16th, by way of Fort Bowie and Fort Goodwin, to this place; but Major S. C. Staples, paymaster United States army, (who had kindly invited me to join his party, and under whose protection I proposed to travel,) was unavoidably detained, so that I was unable to leave Las Cruces until the first of February, on which day we took our departure with an escort of sixteen cavalry, and proceeded to Fort Cummings, sixty miles, on the road to Tucson, where we remained four days, detained partly by a snow-storm which lasted two days and nights. This post is situated at Cook's spring, a noted place at the mouth of Cook's cañon, on the east side of a low range of mountains which forms the eastern rim of the basin and valley of the Mimbres river and Lake Guzman, and which connects, on the north and southwest, with the Sierra Madre.

Leaving Fort Cummings on the 8th of February, we proceeded west, still along the old overland mail route, to Fort Bowie, one hundred and ten miles, where we arrived on the 14th. Remaining over the 15th, on the 16th we left Fort Bowie. Retracing our route eighteen miles to the San Simon, (Santo Domingo on the map;) thence our route was down that valley northwesterly sixty miles to the Gila river; thence down the Gila a little more to the west thirty miles to a point opposite Fort Goodwin; thence southwesterly up the valley of the Tularoso, two and a half miles to the fort, which we reached on the 21st, and remained there until the 27th. I was confined to the limits of the post by rain and snow and the impassable condition of the whole country there.

abouts during my stay, and could not for that reason examine the country in that neighborhood, as I intended.

We left Fort Goodwin, and returned by the same route to Fort Bowie. Remaining over one day, we proceeded thence, by the old Tucson road, to a point sixteen miles from Tucson; thence turning to the left, continuing nearly west, we crossed the Santa Cruz river about a mile above the old mission and church of San Xavier del Bac; thence following up the valley of the Santa Cruz, on the west side, arrived here yesterday; distance from Fort Bowie one hundred and fifty miles.

Excepting in the valleys of the Mimbres, the Gila, the San Pedro and Santa Cruz, I have hardly seen an acre of arable land west of the Rio Grande. The valley of the Mimbres I described in the report of my reconnaissance in 1863. The Gila river leaves a cañon about twenty-five miles above where I first saw it on my way to Fort Goodwin, and runs in an open valley for about one hundred miles to the mouth of the San Carlos, where it again cañons for many miles through the Pinaleno mountains. The Gila here is a fine bold-running stream, affording sufficient water through the year to irrigate the rich bottom lands bordering it. A short distance below the head of this open valley and extending along the Gila for several miles are the ruins of an old pueblo and irrigating canals still traceable. Broken pottery is scattered over the ground amid these ruins, and also in many places below, indicating that the valley was once densely populated by a people who resided in houses and possessed some of the arts of civilization. The timber consists of cottonwood along the stream and on the low grounds, and of mesquit on the uplands extending to the mesa. Upon the mountains south there is cedar, and, it is said, also pine in the ravines. The Burro mountains above the San Simon and Mount Graham, San Marcial and Mount Turnbull, bound this valley on the south from fifteen to twenty-five miles distant; on the north there appears to be a continuous range of mountains parallel with the river, the foot-hills approaching very near it.

It has been proposed to attempt a settlement of the Apaches of Arizona upon a reserve on the Gila river. If this should be the final determination of the Interior Department, no more central point nor more suitable place could be selected than this valley, making the east boundary of the reservation the foot of the cañon above Pueblo Viejo, and extending down the river as far as necessary to include sufficient arable land for their use.

Fort Goodwin is situated in about latitude $33^{\circ} 10'$ and longitude 110° on the Tularoso, a small stream rising in a fine spring about half a mile above the post and sinking before it reaches the Gila, about three miles distant. It is favorably situated as a base of operations against the Apaches. Fort Bowie is situated in a pass of the Chiricahua mountains, in about latitude $32^{\circ} 10'$ and longitude $109^{\circ} 25'$. There is here a fine spring of water sufficient for the use of the post, which, however, sinks after running a few yards.

The San Pedro, which I crossed sixty miles west of Fort Bowie, is a stream about twenty links wide, rapid and now of considerable depth, but in the dry season of course much diminished in size. It runs in a deep valley east of and parallel with the Santa Catarina range of mountains. The alluvial bottoms bordering this stream are dry and average about one mile in width, a considerable portion of which could be cultivated. The mesas east and west of the river are covered with gramma grass, affording excellent pasturage throughout the year, rendering this one of the best stock-growing regions I have seen—the San Pedro furnishing at all seasons sufficient water for stock. The only timber along the San Pedro at and near the crossing is mesquit, which is sufficient for fuel. It is said that as the stream approaches the Gila it is better timbered, having cottonwood and some ash and walnut, and that near the Sonora line there is also cottonwood.

The Santa Cruz river at San Xavier del Bac is now a fine stream, of fifteen

links wide, running in a wide valley well timbered with mesquit and some cottonwood. The mesquit is here larger than I have seen it elsewhere, resembling a forest of scrubby oak in winter. The stream affords but little water during the dry season below Tubac, but it is said that crops of corn and wheat mature without irrigation along the valley, and that water for stock, &c., can everywhere be easily procured by digging a few feet in or near the dry channel. This valley from Tucson to the Sonora line contains a large amount of excellent land for settlement and cultivation. I noticed on the way from San Xavier many abandoned *ranchos*—the *rancheros* having been driven away and their improvements destroyed by the Apaches. At one ranch were the graves of seven of these unfortunates, killed by the Indians.

Tubac is an old Mexican town, said to have been a Pima village when the Spaniards first came to this country, and afterwards occupied by the Jesuits as an appendage to their mission of Tumacacori about three miles above. The church at this old mission is still standing, but somewhat dilapidated by time. Tubac was entirely abandoned in 1861, after the protection of our troops was withdrawn, and there are now but five or six Mexican families here. The place is now garrisoned by one company of California volunteers, affording some protection to the miners in the vicinity.

The whole of our Territory south of the Gila river, except the valleys I have described and a few other unimportant ones, is an elevated table-land, intersected by mountain ranges trending almost uniformly to the northwest and southeast, with low passes through them, giving them the appearance of isolated mountains, rising from one thousand to four thousand feet above the level of the plain. Gold, silver, copper, lead, and iron, and other metals and minerals, are found in all these mountain ranges which have been explored, and undoubtedly some of them may be found in each separate mountain throughout this extensive region.

* * * * *

The great obstacle to the development of the mineral wealth of Arizona, as also of New Mexico, is the hostility of the Apache Indians. It is not safe anywhere throughout this vast region for individuals or small parties to travel or to attempt to work the mines. The Apaches may be met at any moment: they have no abiding place, but roam about, in small parties, from one fastness in the mountains to another, and, whenever they are in sufficient force and can take our people at advantage, they attack, and the weaker party falls.

While at Las Cruces I employed a portion of my time in examining the records of Doña Ana county, and in questioning parties who were best informed, for the purpose of ascertaining the extent and validity of claims to land, under grants from the republic of Mexico, in the valley of the Rio Grande below Fort Craig. I made copious notes of the information gathered from these sources, all of which I sent by mail to Santa Fé. On my return I will forward to your office the result of my inquiries. I have also made inquiries here of old residents informed upon this subject, and am surprised to find that but a small portion of the valleys of the San Pedro and Santa Cruz is claimed under grants from Spain or Mexico. The legislature of this Territory has passed a law requiring all claims to land under grants from Spain or Mexico to be recorded, within the present year, in the office of the recorder of the county where the land claimed is situated; in default of which claimants are debarred the privilege of maintaining actions for their possession in any of the courts of this Territory. This will probably bring to light all of these claims, and it will then be possible to determine approximately how much of the land in this region is public domain.

Until the Indians are disposed of I shall enter into no contracts for surveying the public lands in any portion of this district south of the Gila.

I leave here on the 16th instant for Prescott, and expect to go thence

directly to Santa Fé, hoping to arrive at the latter place from 1st to 15th May. This reconnoissance is occupying more time than I anticipated, but I have been unable to move more rapidly. I can only travel with a strong escort, and therefore remain with Major Staples, who goes from here to pay the troops at Fort Whipple, near Prescott, and thence to Los Pinos, on the Rio Grande.

I am, very respectfully, your obedient servant,

JOHN A. CLARK,

Surveyor General, New Mexico and Arizona.

Hon. J. M. EDMUNDS,

Com. of the Gen. Land Office, Washington City, D. C.

SURVEYOR GENERAL'S OFFICE,

Santa Fé, New Mexico, May 24, 1865.

SIR: In my letter to your office from Tubac, dated 13th March last, I gave you some account of my journey and of the character of the country through which I had passed up to that date. On the 14th of March, in company with Dr. Locke, of the Santa Rita Mining Company, and several other gentlemen, I visited the Cerro Colorado mines, about twenty-one miles westwardly from Tubac. M. O. Davidson, esq., superintendent, kindly furnished me with every facility for examining the mines and works, and gave me all the information asked concerning them. The Arizona Mining Company, the owners of these mines, are erecting reduction works here, and will soon be in readiness to commence reducing the rich ores of the Heintzelman and numerous other veins in this vicinity. The Enriguetta Mining Company, under the same superintendence, are also erecting works at the Enriguetta mines, about thirteen miles southwest from the Cerro Colorado. I was shown some very rich ores from these mines, but did not visit them. The superintendent has had a telegraph line erected, connecting these two mining haciendas—the first and only line of telegraph in that Territory: there is none in New Mexico.

I returned to Tubac on the 15th, and on the 16th left that place for Prescott. My route was down the valley of the Santa Cruz, retracing the way travelled to Tubac to a point about two miles above the San Xavier church, thence continuing down the valley at two miles the old mission and church of San Xavier. This church, which has so often been described in official reports and journals of travellers, begins to show signs of neglect and decay. Built of brick, with arched roof, covered with cement, and without a beam or stick of timber, the Jesuits intended it as a monument, to last for all time, of their energy, skill, and religious zeal. Considering that it has remained in the unskilful hands of the Papago Indians for nearly a century, it is in a most remarkable state of preservation; but now the cement begins to fall from the walls, and the arched roof is cracked so as to admit the rain, and, unless repaired, it will soon be in ruins. Around the church there is a considerable town of Papago Indians, who cultivate the lands in the neighborhood, and seem to be prosperous and happy.

Still following the valley of the Santa Cruz I reached Tucson, nine miles from San Xavier. There is little cultivation after leaving the Papago fields until we reach the immediate neighborhood of Tucson. Fear of the Indians prevents settlements outside of the town. I noticed many vacant buildings in Tucson: evidently the place is not flourishing. From Tucson my route was still down the valley of the Santa Cruz. At about seven miles from Tucson the water disappears from the river, and from here to its junction with the Gila below the Pima villages, except upon rare occasions, there is no water in its bed. Eighteen miles from Tucson I finally left this valley, the road diverging towards the east, but continuing in nearly a northwest direction to the Gila river, which I reached at Sacation station, eighty-seven miles from Tucson and

eleven and a half miles above Casa Blanca; thence diverging a little towards the south from the river, my course for twenty-three miles, to Maricopa Wells, was nearly west. Here I left the old overland mail route, which I had followed from Tucson, and took the trail for Prescott, which runs nearly north, six miles, to the Gila river. I found the river very high, but, fortunately, some parties at Wickenburg had built and sent down a small boat, in which we succeeded in crossing the wagons and baggage; the horses and mules swam safely over. From the crossing we proceeded down the river, twenty miles, to the Rio Salado—a beautiful stream, clear and rapid, now about ten chains in width. The boat in which we crossed the Gila was brought down to the mouth of the Salado and up that river about twenty chains to the point of crossing, and we crossed safely our wagons and baggage without much detention.

Immediately opposite the mouth of the Salado, on the south side of the Gila, there is a conical hill, about one hundred and fifty feet in height, upon the pinnacle of which Mr. Bartlett, in making the survey of the boundary line under the treaty with Mexico of Guadalupe Hidalgo, established a corner "to mark the mouth of Salt river." I visited this monument, and found it compactly built of stone, circular, about eight feet diameter at the base, four feet at the top, and eight feet high, with a post, four inches in diameter, projecting from the centre of the top about six feet, upon which is marked—

"United States and Mexican boundary survey, 1851. This monument erected, in 1851, to mark the junction of the Gila and Salt rivers.

"A. B. GRAY, *U. S. Surveyor*."

The hill upon which this monument is erected is in fact a part of a short mountain range which extends southeasterly from this point, called the Sierra de la Estrella, but is separated therefrom by a narrow valley. It is a mass of igneous rocks, and forms of itself a remarkable landmark; and, being situated immediately opposite the mouth of the Salado or Salt river, the geographical position of which has been determined,* and, with respect to the arable lands of Arizona, being very central, I have selected it as the initial point for the meridian of that Territory, subject to your approval.

From the crossing of the Salado my route was nearly northwest. At three miles crossed the Agua Fria, now dry, the bed of which is fully two hundred yards wide, showing that occasionally great floods sweep down from the mountains through its channel. At about forty-two miles reached the Hassayampa river. This is now a fine running stream, but at this point is usually dry; permanent water is found about three miles above. From this point I followed up the bed of the river about ten miles, the stream for most of that distance running in a cañon. At twelve miles, or fifty-four miles from the crossing of Salt river, I reached the new mining town of Wickenburg. At this place and in the immediate vicinity there are in operation over fifty *arrastras* for reducing gold-bearing quartz, with a working capacity of about sixty tons per week. The quartz being worked here is from the "Vulture" lode, situated about fifteen miles southwesterly from the town. I remained over one day here, and visited this very remarkable lode. The vein or deposit is of a light-colored gold-bearing quartz. At what seems to be the central point, for a distance northwesterly and southeasterly of three hundred feet or more, it is a hill or dike of quartz fully fifty feet above the surrounding level, and from fifty to one hundred feet across at the base. The vein extends northwardly and southerly from this hill for a considerable distance, cropping out in places, and, wherever worked, has been found equally rich with the central deposit, but it is nowhere ascertained to be as broad as here. Many specimens very rich in gold were shown me

* NOTE.—The geographical position of the monument referred to, as ascertained by Major W. H. Emory, U. S. Top. Engs., is, latitude $33^{\circ} 22' 57''$, longitude $112^{\circ} 15' 46''$.

taken from this vein, and I broke off from different places on the hill pieces of quartz showing particles of gold. It is estimated by the parties interested that the quartz in the entire hill and for an indefinite distance below will yield at least fifty dollars per ton of gold. Other veins near and parallel with the great vein are found, also rich in gold. Traces of silver and copper are found in all these veins.

Wickenburg contains a population of two to three hundred persons, nearly all engaged in mining. It is situated on the right bank of the Hassayampa river, which, at this point is usually dry, but an abundance of excellent water is found by digging.

My route was still up the bed of the Hassayampa from Wickenburg for ten miles, thence leaving it, but continuing about the same course northwest eight miles, reached a point at the foot of the mountain referred to in my letter of September 24, 1863, as having upon its summit the very rich placer, worked then by Mr. Jack Swilling. This placer has since been exhausted and abandoned. The town of Weaver is situated at the foot of this mountain, about two miles east from this point. My route from this point was about due north for forty five miles, thence, describing nearly a semicircle to the eastward, around Granite mountain, I reached Prescott on the 8th of April.

I remained at Prescott and in that vicinity seventeen days, the most of my time being occupied in examinations of the mines. Much less has been accomplished in the development of these mines since my visit in 1863 than I expected. The want of sufficient protection against the hostile Indians, scarcity and exorbitant price of food and of everything required by the miner, scarcity of water to wash gold from the placers, and absence of machinery to reduce the gold-bearing quartz and the silver and copper ores, have operated to retard the settlement of this portion of Arizona.

I visited many lodes of gold-bearing quartz and of silver and copper ore in the "Hassayampa," "Quartz Mountain," "Walker" and "Turkey Creek" mining districts, and have examined specimens of quartz and ores taken from not less than fifty different localities; a majority of these specimens were of gold-bearing quartz. Many of them, upon being broken, exhibited gold, and others, when powdered and washed, produced a good result of fine gold. The silver ores I did not see assayed or tested in any manner, but was informed by Mr. Charles Borger, assayer, at Prescott, that the "Benedict," "Goodwin," and many other veins are exceedingly rich in silver, many of them yielding also a good percentage of gold.

Prescott, the present seat of government of Arizona, is located on Granite creek, immediately opposite the point where I made my camp in 1863. The town consists of fifty or sixty houses, mostly built of hewn logs. The streets are regularly laid out. The site for a town is well selected. The ground from the creek has a gradual ascent towards the southwest sufficient for drainage. An abundance of excellent water is obtained by digging, and timber, for building purposes, of the best quality, and for fuel, surrounds the town. It is of easy access, both from the east and west, by good natural roads, and, if the seat of government remains here, I see no reason why it should not become a considerable town.

The people in this vicinity, in May, 1864, met together and selected this town-site and elected three commissioners "to represent the interests of the general government and those of the citizens of the Territory in the laying out, appraisal, and disposition of the lots, in accordance with the said act of Congress," referring to an act of Congress approved March 3, 1863, entitled "An act for increasing the revenue by reservation and sale of town-sites on public land." I obtained a copy of the record kept by these commissioners of their proceedings. Judge Brooks, one of the commissioners, and treasurer of the board, promised to send me also a copy of the plat of the town. When I receive the plat I will

forward copies of the whole to your office, with such suggestions and recommendations as the case shall seem to require.

Fort Whipple is situated about one mile below Prescott, on the right bank of Granite creek. It is a pleasant and convenient two-company post, with corrals, quarters, &c., quite complete. One company of New Mexican volunteers and one company 5th United States infantry are stationed here, Captain John Thompson, 1st New Mexico volunteers, commanding.

I left Prescott on 25th April for Santa Fé, via Fort Wingate and Los Pinos. I followed almost precisely the same track made by me in 1863, nearly one hundred miles, to the Whipple or Beale road, and thence by that road—which I also followed in 1863—to the Rio Grande, thence to Santa Fé, where I arrived on the 19th instant, as I advised you by letter of that date.

In former letters and reports to your office I have freely given my opinion of the mineral wealth of Arizona. In my late tour I have had a better opportunity than ever before of judging of the extent of these mineral resources, and am gratified in being able to say that I have nothing to retract of all I have written upon the subject. Labor, capital, and machinery are only required to be properly applied to prove to the world that I have rather underestimated than overstated the number and great richness of these mines.

The general impression with regard to Arizona is, that it is a region made up of arid deserts, covered with an endless variety of cactus and other thorny plants and shrubs, and barren rocky mountains. This is true to a certain extent; it is true of a considerable portion of the country over which the old overland mail route passes; it is also true of a good part of the route over which the Beale or Whipple road passes; but it is not true of the Territory as a whole.

The valleys of the Gila, Salado, San Francisco, and Colorado rivers, with their affluents, under proper culture, would produce bread for more than two millions of people. Horses, cattle, and sheep, almost without limit, may be pastured upon the plains and mountains during the entire year, so that there is never any necessity for providing food for stock not in use; nature does this abundantly. Nearly all of the arable land therefore, may be cultivated to produce food for men. I estimate the irrigable land of Arizona at not less than one million acres. Upon at least one-third of it two crops each year may be grown, viz: a crop of wheat or barley, to be succeeded by corn, beans, &c. A very large portion of these lands will grow cotton and sugar-cane. In cultivating the lands along the Colorado, Gila, and Salado rivers, it will require the united action of many persons or large capital to dig the necessary canals and erect the dams to divert the water from the beds of these rivers. Co-operation in these matters will of course follow the settlement of the valleys, and, as there shall be demand in the adjacent mines for their wheat and barley, cotton, tobacco, and sugar, the farmers will use the necessary means to supply it.

The Indians, except the Pueblos, throughout the Territory are at open war with us, rendering it unsafe for single persons or small parties to travel, and equally unsafe for farmers and miners to pursue their avocations unless in numbers sufficient to meet and fight them. Stock cannot safely be left at large an hour without a guard. Indeed there is little stock left to the people; the Indians have stolen nearly all that has been taken to the country.

General Mason has been ordered to the Territory, with between two and three thousand men, and it is hoped that during the present year he will chastise and subdue the Indians, and give such protection to the country as that peaceful immigrants may be attracted thitherward, and the resources of the Territory be developed.

I am, very respectfully, your obedient servant,

JOHN A. CLARK,

Surveyor General of New Mexico and Arizona.

HON. J. M. EDMUNDS,

Commissioner General Land Office, Washington City, D. C.

G.

Annual report of the United States surveyor general for California and Nevada, 1864-'65.

UNITED STATES SURVEYOR GENERAL'S OFFICE,
San Francisco, California, September 15, 1865.

SIR: In compliance with instructions from the department, I herewith submit my annual report, in duplicate, in reference to the surveys executed in the States of California and Nevada, and other operations of this office, during the year ending June 30, 1865.

I also forward statements of the business appertaining to this surveying department, to accompany the report, as follows, to wit:

A.—Statement of contracts during the year 1864-'65.

B. Statement showing the number of miles surveyed in California and Nevada, to June 30, 1865.

C.—Statement of account of appropriation for surveys of public lands and private land claims in California and Nevada, 1864-'65.

D.—Statement of account of appropriation for the compensation of surveyor general and clerks, 1864-'65.

E.—Statement of account of appropriation for rent of office and other incidental expenses, 1864-'65.

F.—Statement of field-notes of public surveys sent to Washington during the year ending June 30, 1865.

G.—Statement of descriptive notes, decrees of court, &c., relative to private land claims, to accompany plats for patent, compiled for transmission to the department at Washington, 1864-'65.

H.—Statement of plats made in office, 1864-'65.

I.—Statement of examinations and reports made to the department for patent, of all subdivisinal surveys heretofore pre-empted or selected, under act of Congress in relation thereto.

K.—Statement showing the number and present condition of surveys of private land claims, under instructions from this office, 1864-'65.

L.—List of lands surveyed in California and Nevada, 1864-'65.

M.—Estimate for surveying service in California and Nevada, for the fiscal year ending June 30, 1867.

In addition to the office-work, as set forth in the foregoing statements, the employés have been engaged in the following duties, viz:

1. Copying the correspondence of this office.
2. Making out contracts in triplicate.
2. Making out instructions for surveys of private land claims, in duplicate.
4. Examination of field-notes of public surveys returned by deputies.
5. Examination of field-notes and tablings of surveys of private land claims returned by deputies.
6. Examination of location of surveys of private land claims.
7. Making sketches to accompany contracts of public surveys and private land claims.
8. Keeping in order the records of plats and field-notes of public and private surveys.
9. Keeping in order the Spanish and Mexican archives, and records of the late board of land commissioners.
10. Making out quarterly accounts and certificates to vouchers.
11. Making out accounts and bonds of deputy surveyors, for surveys executed.
12. Posting the books of accounts and records appertaining to the business of the office.

13. Exhibiting the archives and commission papers, records and plats to parties interested, and making the necessary explanations.

14. Making out in quadruplicate the annual synopsis and report, with accompanying statements.

The estimate for the year ending June 30, 1867, with regard to the survey of lands in California, is for running and establishing the lines necessary for subdivision work within the grant to the Central Pacific and the Western Railroad Companies.

The estimate for surveys in Nevada is for extending the fourth standard parallel to the east line of the State, thus furnishing a base for subdividing numerous townships north of the Reese River district and south of the Humboldt district. Many of these townships comprise valleys well adapted to agriculture, and the expense for the subdivision thereof, I am informed, would be met by the settlers, under the act of May 30, 1862.

The exterior lines of the Indian reservations should be surveyed and permanently fixed.

The subdivision work within the railroad grant, as far east as the Big Bend of the Truckee river, should be pushed forward as rapidly as possible.

Should there be an excess of appropriation over the requirements of the railroad service, the same could be advantageously used for the survey of numerous timbered districts of California and Nevada.

The estimate for clerk-hire is placed at a low figure, in view of the settlement of swamp lands, railroad business, and other claims in the two States, the field-work and records of which daily require work, care, and attention.

The balance, as shown in the statement of the account of appropriation for the survey of public lands and private land claims on the first of July last, is \$61,024 60.

Up to this time there are outstanding contracts, the field-work of which is in process of completion, and a portion under examination in this office, all of which amount to some \$40,000. The remainder will be dedicated to such work as the exigencies of the service may require.

In the statement of the account for compensation of clerk hire, &c., there is a balance to the credit of the office of \$1,761 95, principally accruing from deposits made by the Central Pacific Railroad Company towards the close of the fiscal year.

As returns for public surveys bordering on the said railroad are rapidly accumulating in the office, requiring an extra force, I shall use this amount for that purpose. The sum asked for is barely sufficient for the coming fiscal year.

The public surveys during the past year in California have been principally confined to townships in which the settlers requested the measurements of their claims, and for which they deposited the necessary funds, under the act of Congress of May 30, 1862. These lines embrace the rejected claim of the rancho "San Antonio," whereon the city of Petaluma is situated.

From the amount of appropriation for surveys of public lands, there have been subdivided five fractional townships near Honey lake, within the railroad district. Also various townships bordering on the Sutter grant of "New Helvetia," the boundaries whereof are finally settled, have been subdivided.

The surveys of private land claims, as set forth in statement marked "K," have been made during the past year, the expenses whereof have been defrayed from the funds deposited by the owners thereof.

Another year's experience leads me to renew the recommendation which I suggested in my last annual report, in respect to the surveying of several of those valleys and other tracts remote from the present public lines of survey, the fertility of which cannot but attract the husbandman and other rural settlers,

who seek to secure homesteads amidst suitable agricultural lands or pasture ranges in these western regions. In order to survey these isolated tracts, and avoid the necessity of extending many an unnecessary long line to connect them in the ordinary manner, which, under the best circumstances, never fails to involve some errors in measurements, some other system of ascertaining and determining their position should be adopted less exposed to inaccuracies.

In such cases, in a large territory, the deputy surveyor could be instructed to determine the position by establishing the latitude and longitude of some prominent point in each separate tract, and then proceed in the usual way of measuring exterior and subdivision lines. The closing upon certain established lines from different directions, and by different surveyors, shows that notwithstanding their earnest wishes to preserve uniformity in their measurements, errors are daily committed, unavoidable under the present system, resulting often from the roughness of the country and the extreme difficulty and great loss of time which otherwise would be required in ascertaining the precise variation of the needle at very short intervals through extensive tracts more or less impregnated with minerals, which greatly disturb its fixity to a calculated point of the horizon, known as local attraction, a bugbear to the land measurer, whose wishes are to speedily perform the conditions of his contract, with as little loss of time as possible, in order to derive a remuneration which, in the display of much science and delicate observations, might be rendered fruitless, if not ruinous, at the prices they receive, by the length of time that such observations would require.

The extension of public township lines over various mining regions should, in my opinion, be prosecuted with a view to future legislation, and to accurately determine the position of many important tracts, which, from their natural resources, might attract an industrious population, and hereafter present the agreeable spectacle of productive settlements, and villages teeming with happy inhabitants.

Various tracts of timbered land in some of the interior regions of this surveying district, from which, in their present condition, there results neither benefit to the government nor to the settler, might be disposed of to purchasers who should be inclined to obtain them at a less cost than the government price for other lands already surveyed, where the woodman could render them profitable to himself, and clear tracts which hereafter might be made productive in a variety of ways through agriculture, the pasturing of herds, and otherwise, in proportion as they should become settled.

It has long since been a desirable object to segregate the swamp and overflowed lands donated by government to California, as well as the other land claims thereof, arising from the 16th and 36th section grant, the 500,000 acre grant, and the 72 sections granted for a seminary of learning; but the department is already aware of the reasons and drawbacks which have retarded the segregation of the first, and the slow progress in the entire separation of the other grants of this class, in which the State is concerned to such a very great extent.

For the extension of lines and survey of lands near the boundary separating California from Nevada I had occasion to apply to the authorities of the latter State, who very promptly transmitted to this office complete field-notes and map of the survey of said boundary, so far as it had been established. This work was done at the expense of those States, and I hope that the department will authorize this office to adopt it, and sanction its being placed on file among the records. A transcript and map of that work shall be forwarded to your department as soon as it can be done by the proper persons in the office, who are at present engaged in more pressing matters.

The survey of private land claims is a slow operation, but it cannot be hastened; for, in the first place, it depends upon the action of the courts in their final decisions respecting such claims; and then, again, the owners frequently manifest a reluctance to have them measured off at their own expense, and thus

forbear making the proper application for the segregation thereof, principally through want of means. In the northern district of California there is only a small portion of this class of claims which remains unsurveyed; the greater portion of those claims was surveyed at the expense of the United States, leaving out such ones as were of comparatively small value, to be surveyed at the expense of the owners. It is in the southern district where there is still a large number remaining unsurveyed, principally owned by the native Californians, whose fortunes were involved in the raising of cattle, nine-tenths of which, in many instances, were swept away by last year's drought, thus impoverishing their owners and those who depended upon them. Under such circumstances it is impossible for the great majority to incur the expense of such surveys. I would, in consequence, suggest a recommendation from the department, that the law requiring such surveys at the expense of the owners be repealed, and this class of work closed up as rapidly as possible, under an appropriation for that purpose, leaving for the market the excess which may accrue as public lands, as soon as that work should be done. In this connexion I would remark that under the new system the settlers frequently manifest a desire to have the subdivision lines of their claims run at their own expense; but when they learn that they must defray the expenses of all the lines susceptible of subdivision in their townships, they think it unjust to have to contribute to the costs of a work in which, individually, they have no interest, and thus desist and fail to make the necessary deposit.

RESPECTING STATISTICS.

It would be a source of satisfaction to be able to present a report founded upon accurate statistics, but this office is not in possession of the necessary means of information to render it as acceptable as a statement of well digested facts might prove.

Even if a statement correct enough in substance could be given of a few years' experience on such matters in general, the time elapsed would be too short for this new country, and the manner too indefinite to make the appreciation valuable in all the extent of its importance. But when sources of information are not sufficiently reliable; when the observations of one year do not apply to another period of equal length, and no record has been taken of many interesting branches of industry, the conclusions from those imperfect observations could not prove satisfactory in determining the rate of progress. This requires the close observation of several consecutive years. But there are facts so self-evident, in respect to the productions and wealth of this country, as to require but little observation, unaided by official statistics, to appreciate its great natural resources, as for example, in

AGRICULTURE.

There are valleys and extensive plains in the northern district of California with numerous plants and esculents, while fruit, delicate to the taste, and of rare varieties, is cultivated with unbounded success. Amidst this abundance, there is, however, one great drawback. It is the uncertainty of rain, the want of which occasionally causes an almost total failure of crops. In the southern district not much attention is paid to agriculture, although in horticulture there are many tracts which yield delicious fruit in great abundance, and where the vine is cultivated to a great extent; but cattle-raising has been its greatest resource. Yet, one or two consecutive years of drought, a circumstance not altogether uncommon, may almost or utterly ruin the grazier, by reason of the aridity of a great portion of that parched soil, and the consequent destruction of the grasses upon which his horses and cattle depend for subsistence. Many and numerous are the droves of cattle and flocks of sheep which lately had to

be driven far to the mountains in the interior to save a remnant of a once flourishing and numerous stock.

With regard to California, in general, much of this destruction in the crops might be prevented by means of proper irrigation; but this is a herculean work, requiring laborers, who here find more profitable employment in other business; besides the fact that the amount of capital needed for that purpose will, for very obvious reasons, be turned to other objects for some time to come, but irrigation is a subject of the greatest importance to California. If a system of irrigation like that existing in Italy, for instance, could in time be introduced, it would render California what Italy is to Europe—the garden of America, rivalling it in fruitfulness, as it does in its blue sky and genial temperature; but it requires a numerous community, with habits of patient industry, and this leads me to speak of

POPULATION.

Population here, in respect to numbers, is comparatively insignificant, as such immense tracts of country as California and Nevada possess can maintain a vast population. Unfortunately, its present limited numbers seem disproportionately distributed. The city of San Francisco alone contains, it is thought, one-fifth of the residents of California. How these and those of other populous towns are maintained and supported would afford matter for an essay on political economy, irrelevant in this succinct recital.

MINERALS.

The wealth in mineral productions is well recognized. Steamer after steamer carries away vast treasures, the produce of the States of California and Nevada. In July last, for instance, some \$3,300,000 were shipped from this port.

Mining now is quite different from what it was ten or twelve years ago. The "placers," or surface diggings, then occupied most of the miners, but these, as well as the river beds and flats and creeks, are nearly all exhausted. It is now necessary to follow quartz lodes deep into the bowels of the earth to extract mineral wealth. Formerly, the poor man could, with but little preparation, obtain a rich compensation for his work; at present, his labor is much harder, and he works at low wages for some company engaged in quartz mining or deep hydraulic diggings. Indeed, men without means cannot undertake mining works that require steam, and engines, and vast preparations, which in many instances do not pay. It is true that large quantities of the precious metals are extracted from quartz lodes, but comparatively few of these costly mining establishments pay, while many fail to produce enough to meet the expenses of working.

GENERAL REMARKS.

Of the \$3,300,000 shipped in July last, it would appear that two-thirds went to foreign countries. The reasons are obvious: they were the war-risk and the want of manufactories on the Pacific coast. A country without manufactures, experience teaches, cannot long continue in a flourishing state.

Its raw material, if it produces any, are exported, and it receives in return manufactured articles; but this entails a heavy tax in the expenses of transportation, duties, and various other costs too numerous to enumerate, which the consumers have to pay.

Thus capital is driven out, and the country becomes thereby impoverished. It is true, however, that these evils are only temporary. The American people know too well how to appreciate such vast interests, and, with their habits of industry, the time is near at hand when they will be remedied.

Among the sources of wealth, the discovery of petroleum and its kindred sub-

stances have, of late, created much excitement. They are found in many parts of California, principally along the belt of country bordering on the Pacific ocean. Natural exudations of oil, varying in density from 16° to 35° Beaumé, can be traced seeping through the sandstone formation, and showing at the surface, accompanied, more or less, with gas and water. This oil-belt commences in Humboldt county, passes through Mendocino, Marin, Contra Costa, Santa Clara, San Luis Obispo, Santa Barbara, and Los Angeles. It is also found in the interior counties of Colusa and Fresno. These surface indications are found principally on the public lands, except in the counties of San Luis Obispo, Santa Barbara, and Los Angeles, where the country is covered almost wholly with private grants under the late Mexican government.

In the Mattole district, Humboldt county, numerous companies have been formed and are at work prospecting with steam and hand for the lighter petroleum, which experience in the eastern States shows to exist beneath the surface, at a greater or less depth.

This question once solved, and California will have added to her other exports one which may rival those of the precious metals.

Prospecting is also being pushed forward in other parts of the State, under the auspices, in some instances, of capital from New York, Philadelphia, and other points in the eastern States.

On my return from the Hoopa Valley reservation, where my public duties had called me on a commission to appraise improvements, &c., I called on the register of the Humboldt district. Speaking of these lands, he informed me that the instructions from your department withdrew the lands supposed to contain petroleum from sale or entry, upon the ground that it was the policy of the government to treat such lands in the same manner as saline or lead mines. The practical effect of these instructions has been simply to withdraw the lands from those who were willing to pay for them, and place them in the hands of those claiming to hold under the mining laws established by themselves.

The courts of California recognize the organization of a mining district and the laws made thereat. There is nothing to prevent a few men from organizing a district, putting down eighteen names, who will redeed to them, declaring the extent of each claim one mile on the lead by one-half mile in width on each side, and thus becoming owners of a large extent of country under the plea of being miners.

For the permanent development of this class of lands a perfect title is required. Capital will not invest from twenty to one hundred thousand dollars on a possessory right. A large proportion of these lands are not fit for agriculture or grazing, and could not, under other circumstances, be sold.

I would therefore suggest to the department, as the correct policy, that the lands be sold in 160-acre tracts, at a stated price per acre, giving preference to those who, since the date of the withdrawal of such lands, have occupied and worked the same for this specific purpose. The results would be:

First. The settler would obtain a perfect title, and could either work himself, or interest sufficient capital to assist him.

Second. The United States would be paid a fair price for many tracts of land which otherwise would never come into market.

Third. The prospecters would be confined to 160 acres each, and, in the event of striking oil, the United States would receive large revenues from the internal revenue tax, which amounts to a royalty of one-fifth.

This is a new subject to Californians, and I merely suggest what strikes me as the proper way of developing the enterprise, and at the same time paying the government for the land so used.

In the great belt of land extending from Mariposa to Shasta, in which considerable mining operations are carried on, there are large portions of arable land intermingled with mineral tracts. Three-fourths of the inhabitants thereof

are engaged in agricultural pursuits, and some of the orchards and vineyards are among the finest in the State.

From the summit of the Sierra Nevada to the foot-hills on the western side, there is an extent of land averaging from seventy-five to one hundred miles in breadth, which comprises rich arable and mineral lands. A zone of fifty miles of it in width contains many rich valleys between the spurs of the Sierra. These lands should be surveyed in view of their capability to support a dense population. Immigration cannot fail to be attracted from the eastern States to those rich mountain lands. In this range is embraced one of the finest regions of white sugar-pine timber.

East of the meridian of Red Bluff, and north and south of that point, there lies a vast extent of land, one hundred miles or more in length, and about one hundred miles in breadth, on an average. This square should also be surveyed in due time, as it contains no minerals of importance. Its products could readily find a market, transportation being either by road or river.

With such great resources the Pacific States cannot but soon become the home of millions of inhabitants. There is plenty of room; let them come and increase and replenish this land, which offers so many advantages to the industrious laborer, and to all who need lands, or wish to engage in mining, commercial, or mechanical pursuits.

By the statement of the work hereto annexed, and transcript of notes in reference thereto, and by the contracts I have, from time to time, forwarded, the department can form an exact opinion of the work done, and of that which is being accomplished in the field, both in California and Nevada, all in proportions as the appropriations for that purpose have allowed.

I have the honor to be, very respectfully, your obedient servant,

L. UPSON,

United States Surveyor General.

Hon. J. M. EDMUNDS,

Commissioner General Land Office, Washington, D. C.

A.—Statement of contracts entered into by the United States surveyor general for California and Nevada with deputy surveyors during the fiscal year 1864-65.

Name of deputy.	Date of contract.	Location of work.	Amount of contract.	Remarks.
George H. Thompson, (C.)	August 5, 1864.	Mount Diablo meridian, N. and W.	\$440 00	Special deposit, (closed.)
William W. Fitch, (C.)	September 8, 1864.	Mount Diablo meridian, N. and W.	600 00	Special deposit, (closed.)
Ephraim Dyer, (C.)	September 13, 1864.	Mount Diablo meridian, N. and E.	3,000 00	Charged to appropriation, (closed.)
Gilbert W. Colby, (C.)	September 30, 1864.	Mount Diablo meridian, N. and E.	454 00	Special deposit, (closed.)
John S. Murray, (C.)	October 17, 1864.	Humboldt meridian, S. and W.	500 00	Special deposit, (closed.)
A. W. McPherson, (C.)	November 1, 1864.	Mount Diablo meridian, S. and W.	1,060 00	Special deposit, (closed.)
Horace B. Martin, (C.)	November 15, 1864.	Mount Diablo meridian, N. and W.	720 00	Special deposit, (closed.)
Charles I. Healy, (C.)	November 30, 1864.	Mount Diablo meridian, S. and W.	340 00	Special deposit, (closed.)
James E. Freeman, (C.)	December 5, 1864.	Mount Diablo meridian, N. and W.	1,029 00	Special deposit, (closed.)
John S. Murray, (C.)	December 21, 1864.	Humboldt meridian, N. and W. and S. and W.	3,000 00	{ T. 1 S., R. 2 W., special deposit, (closed.) } Balance charged to appropriation.
George H. Thompson, (C.)	December 31, 1864.	Mount Diablo meridian, N. and E.	120 00	Special deposit, (closed.)
S. Millington, (C.)	February 3, 1865.	Mount Diablo meridian, N. and W.	474 00	Special deposit, (closed.)
Ephraim Dyer, (C.)	February 25, 1865.	Mount Diablo meridian, S. and E.	1,500 00	Charged to appropriation.
Henry Hancock, (C.)	March 7, 1865.	San Bernardino meridian, N. and W. and S. and W.	2,500 00	Charged to appropriation, (closed.)
William H. Piater, (C.)	March 10, 1865.	Mount Diablo meridian, N. and W.	904 00	Special deposit, (closed.)
Ephraim Dyer, (C.)	March 15, 1865.	Mount Diablo meridian, N. and E.	1,000 00	Charged to appropriation, (closed.)
John Wallace, (C.)	March 17, 1865.	Mount Diablo meridian, N. and E.	3,000 00	Charged to appropriation.
Porter C. Acctor, (N.)	April 20, 1865.	Mount Diablo meridian, N. and E.	3,600 00	Charged to appropriation.
Butler Ives, (N.)	April 20, 1865.	Mount Diablo meridian, N. and E.	3,600 00	Charged to appropriation.
James E. Freeman, (C.)	May 13, 1865.	Mount Diablo meridian, N. and E.	7,000 00	Charged to appropriation.
James T. Stratton, (C.)	May 17, 1865.	Mount Diablo meridian, S. and W.	200 00	Special deposit, (closed.)
Ephraim Dyer, (C.)	May 24, 1865.	Mount Diablo meridian, N. and E.	8,000 00	Charged to appropriation.
S. W. Foreman, (N.)	June 27, 1865.	Mount Diablo meridian, N. and E.	7,500 00	Charged to appropriation.

Contracts marked "C." for surveys in California. Contracts marked "N." for surveys in Nevada.

B.—Statement of number of miles surveyed in California and Nevada to June 30, 1865.

Base.	Meridian.	Standard.	Traverse.	Meander.	Township.	Section.	Remarks.
<i>Me. chs. lts.</i>	<i>Me. chs. lts.</i>	<i>Me. chs. lts.</i>	<i>Me. chs. lts.</i>	<i>Me. chs. lts.</i>	<i>Me. chs. lts.</i>	<i>Me. chs. lts.</i>	
.....	G. H. Thompson, contract December 31, 1864.
.....	2 75 42	.....	.....	8 02 13	G. H. Thompson, contract August 5, 1864.
.....	5 79 50	42 47 76	E. Dyer, contract February 25, 1865.
.....	3 71 02	.....	4 08 00	4 21 84	E. Dyer, contract March 15, 1865.
.....	9 76 82	34 68 24	E. Dyer, contract February 25, 1865.
.....	2 15 30	.....	10 70 40	40 51 35	E. Dyer, contract August 5, 1862, and September 13, 1864.
.....	14 33 01	.....	.....	175 76 65	E. Dyer, contract September 13, 1864.
.....	55 87	J. T. Stratton, contract March 2, 1865.
.....	14 21 98	.....	8 24 95	8 61 70	J. E. Freeman, contract December 5, 1864.
.....	15 75 67	.....	2 74 90	40 51 31	J. E. Freeman, contract December 5, 1864.
.....	1 73 77	.....	.....	1 44 16	43 65 62	A. W. Von Schmidt, contract March 27, 1864.
.....	5 07 70	28 21 92	C. T. Healy, contract November 30, 1864.
.....	22 53 91	57 74 00	A. W. McPherson, contract November 1, 1864.
.....	3 19 40	.....	.....	5 10 74	E. H. Dyer, special instructions, March 27, 1865.
.....	19 79 20	35 01 55	W. W. Fitch, contract September 8, 1864.
.....	23 78 00	41 38 65	W. H. Plater, contract March 10, 1865.
.....	7 70 32	.....	7 04 20	34 17 41	J. S. Murray, contract December 31, 1864.
.....	128 39 39	612 31 32	Miles surveyed 1864-'65.
330 60 57	696 39 49	1 73 77 3,964 35 41	64 62 12 2,666 45 41	..... 95 35 43	20,949 31 34	75,355 19 05	Miles surveyed as per last report.
333 60 57	696 39 49	3,966 29 18	2,731 27 53	95 35 43	20,377 70 73	75,967 50 37	Total miles surveyed to June 30, 1865.

C.—Statement of account of appropriation for the survey of public lands and private land claims in California and Nevada during the fiscal year 1864-'65.

Dr.		Cr.	
1864-'65.		1864-'65.	
July 26	To Visalia Delta, (advertising).....	\$15 00	By balance.....
26	To Los Angeles News, (advertising).....	18 00	By amount of appropriation, 1864-'65.....
30	To T. Sprague, survey rancho Canada Larga.....	226 06	By amount certificates of deposit with the United States assistant treasurer, San Francisco.....
Nov. 11	To J. Johnson, contract of September 10, 1863.....	181 05	By amount of certificate of deposit by the Central Pacific Railroad Company of California.....
Dec. 1	To G. H. Thompson, contract of August 5, 1864.....	459 38	
10	To S. Millington, contract of April 9, 1864.....	234 99	
15	To S. Millington, (for repayment excess deposit).....	17 01	
15	To W. H. Gaddis, (for repayment excess deposit).....	16 24	
15	To M. Bemmerly, (for repayment excess deposit).....	26 72	
22	To J. S. Murray, contract of October 17, 1864.....	390 89	
1865.			
Jan. 14	To J. Stine, (for repayment excess deposit).....	109 11	
Feb. 2	To E. Dyer, contract of September 13, 1864.....	2,327 69	
17	To G. H. Thompson, contract of Dec. 31, 1864.....	120 00	
March 2	To A. W. Von Schmidt, contract of March 24, 1864.....	574 48	
3	To H. Hancock, contract of February 7, 1866, and May 17, 1858.....	549 31	
April 1	To L. W. Ransom, contract of March 28, 1864.....	414 47	
6	To E. Dyer, contract of February 25, 1865.....	819 97	
May 12	To E. Dyer, contract of March 15, 1865.....	781 57	
12	To E. H. Dyer, special instructions of March 27, 1865.....	110 25	
	Balance.....	7,392 19	
		61,024 60	
		68,416 79	
		1865.	
		July 1	By balance.....
			61,024 60

D.—Statement of account of appropriation for compensation of the United States surveyor general for California, and the employes in his office, during the fiscal year 1864-'65.

Dr.	1864-'65.	1864. July 1	Cr.
To amount paid surveyor general and clerks 1st quarter.....	\$4,606 27		By balance.....
To amount paid surveyor general and clerks 2d quarter.....	5,623 25		By correction made by the department, as per letter from department of November 23, 1864.....
To amount paid surveyor general and clerks 3d quarter.....	3,900 00		By appropriation, as advised by letter from the department of July 28, 1864.....
To amount paid surveyor general and clerks 4th quarter.....	3,728 01		By deposits with the United States assistant treasurer, San Francisco.....
			By deposits with the United States ass't treasurer, San Francisco, by Central Pacific Railroad Co.....
			By amount for compensation of clerks in this office for the year ending March 30, 1863, under act of Congress approved June 2, 1865, as per letter of department of May 6, 1865.....
		1865. July 1	1,350 00
Balance.....	17,857 53		
	1,761 95		
	19,619 48		By balance.....
			\$1,761 95

E.—Statement of account of appropriation for rent of office, fuel, books, stationery, and other incidental expenses, including pay of messenger, for the fiscal year 1864-'65.

Dr.	1864-'65.	1864. July 1	Cr.
To amount paid in July, August, and September.....	\$1,128 15		By balance.....
To amount paid in October, November, and December.....	1,109 98		By appropriation, as per letter from department of July 28, 1864.....
To amount paid in January, February, and March.....	1,722 85		
To amount paid in April, May, and June.....	1,349 16		
To amt't paid Kenny & Alexander, balance due to June 30, 1864.....	189 50		
To invoice of stationery rec'd from dep't Dec. 2, 1864.....	502 60		
		1865. July 1	
Balance.....	5,002 24		
	1,041 02		
	6,043 26		By balance.....
			\$1,041 02

F.

Statement of field-notes of public surveys sent to the department at Washington from the United States surveyor general's office, California, during the fiscal year ending June 30, 1865.

Name of deputy.	When sent	Character of work.	Meridian.	Remarks.
	1864.			
Joseph Johnston.....	Nov. 11	T. 13 N., R. 3 E.	Mount Diablo.	Township, section, and meander lines.
Do.....	do.	T. 13 N., R. 4 E.	do.	Do. do. do.
G. H. Thompson.....	Dec. 1	T. 4 N., R. 7 W.	do.	Section and meander lines.
Do.....	do.	T. 5 N., R. 7 W.	do.	Do. do.
Do.....	do.	T. 4 N., R. 8 W.	do.	Section lines.
S. Millington.....	Dec. 10	T. 8 N., R. 9 W.	do.	Do.
J. S. Murray.....	Dec. 21	T. 1 S., R. 2 W.	Humboldt.	Township and section lines.
	1865.			
E. Dyer.....	Jan. 21	T. 28 N., R. 14 E.	Mount Diablo.	Section and meander lines.
Do.....	do.	T. 28 N., R. 15 E.	do.	Do. do.
Do.....	do.	T. 29 N., R. 13 E.	do.	Section lines.
Do.....	do.	T. 29 N., R. 14 E.	do.	Do.
Do.....	do.	T. 29 N., R. 15 E.	do.	Section and meander lines.
G. H. Thompson.....	Feb. 21	T. 1 N., R. 1 E.	do.	Section lines.
H. Hancock.....	Mar. 3	T. 1 S., R. 3 W.	San Bernardino	Do.
Do.....	do.	T. 2 S., R. 9 W.	do.	Do.
Do.....	do.	T. 3 S., R. 9 W.	do.	Township lines.
A. W. Von Schmidt.....	Mar. 11	T. 4 S., R. 5 W.	Mount Diablo.	Township and section lines.
Do.....	do.	T. 5 S., R. 5 W.	do.	Section lines.
L. W. Kansom.....	April 1	T. 2 S., R. 5 W.	do.	Section and meander lines.
Do.....	do.	T. 2 S., R. 6 W.	do.	Township, section, and meander lines.
E. Dyer.....	April 12	T. 1 S., R. 1 E.	do.	Section lines.
Do.....	do.	T. 2 S., R. 1 E.	do.	Township and section lines.
Do.....	May 30	T. 8 N., R. 4 E.	do.	Do. do.
Do.....	do.	T. 8 N., R. 5 E.	do.	Township, section, and meander lines.
E. H. Dyer.....	do.	T. 10 N., R. 7 E.	do.	Section and meander lines.

G.

Statement of descriptive notes, decrees of court, &c., of private land claims, to accompany plats for patent, compiled for transmission to the department at Washington during the fiscal year 1864-'65.

Nature of work.	Name of claim.	To whom confirmed.	Original.	For Washington.	When sent.
Descriptive notes, decrees.	Canada de Guadalupe, &c., (part.)	Henry R. Payson.....	1	1	July 8, 1864.
Do.....	Canada de Guadalupe, &c., (part.)	William Pierce.....	1	1	Do.
Do.....	Laguna de Taché.....	Manuel Castro.....	1	1	August 10, 1864.
Do.....	El Valle de San José.....	A. Sunol <i>et al.</i>	1	1	September 2, 1864.
Do.....	Tract near Santa Clara.	James Enwright.....	1	1	Do.
Do.....	Los Capitancillos.....	Charles Fossatt.....	1	1	October 29, 1864.
Do.....	San Lorenzo.....	Guillermo Castro.....	1	1	November 12, 1864.
Do.....	Island of Santa Cruz.....	A. Castillero.....	1	1	November 17, 1864.
Do.....	Butano.....	Manuel Rodriguez.....	1	1	November 22, 1864.
Do.....	Bolsa de San Cayetano.	J. de J. Vallejo.....	1	1	December 21, 1864.
Descriptive notes	Yosemite and Big Tree grants.	State of California.....	1	1	February 2, 1865.
Descriptive notes, decrees.	Simi.....	J. de la Guerra y Noriega.	1	1	Do.
Do.....	Las Posas.....	do. do. do.	1	1	Do.
Do.....	San Pedro, Santa Margarita, y las Gallinas.	Timothy Murphy.....	1	1	February 11, 1865.
Do.....	Ex-mission San Buena-ventura.	Heirs M. A. R. de Polli...	1	1	February 21, 1865.
Do.....	Potrero de los Cinitos.	T. Pacheco and A. Alviso.	1	1	June 30, 1865.

H.

Statement of plats made in the office of the United States surveyor general for California and Nevada during the fiscal year 1864-'65.

	Original	Department	Original	Department	Register.	Original	Department	Traced copies.	For court.	Skeleton plats.	General maps.	Sketches for deputies.	Miscellaneous.	Total
Plats of township work	10	5												15
Plats of township subdivisions		39	49	76		11	14	32	13	131				164
Plats of ranchos														201
General maps											4			4
Sketches for deputies												28		28
Miscellaneous													25	25
Total														437

I.

Statement of examinations and reports made to the department for patent of all subdivisional surveys pre-empted or selected under the acts of Congress relating thereto during the fiscal year 1864-'65.

	REPORT LAND OFFICE, 1863.												REPORT LAND OFFICE, 1864.												REPORT LAND OFFICE, 1865.						Total		
	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	May.	June.			
San Francisco.....									1			1	1																				40
Stockton.....																																	23
Marysville.....																																	19
Humboldt.....																																	14
Los Angeles.....											1																						1
Visalia.....																																	17
Total.....																																	114

K.

Statement showing the number and present condition of the surveys of private land claims, under instructions from this office, during the fiscal year 1864-'65.

No. of survey.	No. in land commission.	Name of rancho.	County.	Confirmer.	Remarks.
612	179	San Ramon	Contra Costa ..	H. W. Carpentier..	Resurvey finally approved by circuit court.
621	427	La Cienega O'Paso de la Tijera.	Los Angeles...	T. Sanchez <i>et al</i> ...	Survey suspended for examination.
622	338	Providencia	Los Angeles...	D. W. Alexander & F. Mellus.	Survey in conflict with "Ex-Mission San Fernando," which is in district court for adjudication.
623	465	Cahuenga	Los Angeles...	D. W. Alexander..	
624	433	Santa Ana del Chino and addition.	San Bernardino	Isaac Williams.....	Resurvey ordered by district court. Survey made and approved by court.
625	434				
630	118	Cañada Larga.....	Santa Barbara.	J. Alvarado	Survey made under final decree and returned.
632	257	Pastoria de las Borregas	Santa Clara ...	M. Castro	Resurvey by order of district court.
633	127	Las Juntas	Contra Costa ..	Estate W. Weleh..	Do. do.
634	479	Ex-Mission San Buena-ventura.	Santa Barbara.	M. A. R. de Poll...	Survey made under final decree and returned.
635	747	Lands near Santa Cruz.	Santa Cruz....	Thomas Russell ...	Survey under final decree not returned.
636	356	Santa Ysabel.....	San Luis Obispo	Francisco Arce ...	Survey made under final decree and returned.
637	.....	California State prison tract.	Marin	State of California.	Survey made under act of Congress and returned.
638	370	Cucamonga	San Bernardino	L. V. Prudhomme.	Survey made under final decree and returned.
639	325	Guejito	San Diego	G. W. Hamley	Do. do.
640	65	Bolsa de San Felipe...	Monterey	F. P. Pacheco	Do. do.
641	314	San Miguelito	San Luis Obispo	M. Abila	Do. do.

L.—List of lands surveyed in California from June 30, 1864, to June 30, 1865.

Number of townships surveyed.	Description.	Public land.	A.	B.	C.	D.	E.	F.	Remarks.	Total.
			Confirmed private land claim.	Military reservation.	Indian reservation.	Unsurveyed mountain land.	River, swamp, and overflowed land.	Unsurveyed public land.		
		Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
b 1	Township No. 1 north, range No. 1 east.	11,597.08							A + F 9,439.19	22,036.08
a 2	Township No. 1 north, range No. 3 east.	13,534.22	A.						A + F 18,985.54	32,073.34
a 3	Township No. 1 north, range No. 6 west.	6,459.32	A.						A + F 22,632.12	29,091.44
a 4	Township No. 1 south, range No. 1 east.	6,459.32								23,040.00
a 5	Township No. 2 south, range No. 3 east.	15,324.94	A.						A + E 7,720.00	23,044.94
a 6	Township No. 2 south, range No. 3 east.	13,867.75	9,067.46							22,934.21
a 7	Township No. 3 north, range No. 4 west.	17,369.05	A.						A + B + E 5,198.71	22,567.76
a 8	Township No. 3 north, range No. 4 west.	2,651.29	A.						A + B + E 22,388.71	23,040.00
a 9	Township No. 4 north, range No. 2 west.	2,146.24	A.						A + E 20,833.00	22,979.24
a 10	Township No. 4 north, range No. 3 west.	23,182.50	5.75							23,188.25
a 11	Township No. 4 north, range No. 4 west.	9,068.69	A.						A + E 16,367.30	25,436.00
a 12	Township No. 4 north, range No. 4 west.	9,068.69	A.						A + E 13,834.26	22,902.95
a 13	Township No. 4 north, range No. 6 west.	3,461.68	21,254.18						A + E 19,631.40	23,093.58
a 14	Township No. 4 north, range No. 10 west.	6,401.97	A.						A + E 22,123.60	23,040.00
a 15	Township No. 4 south, range No. 7 west.	1,823.12	A.						A + D + E 16,548.03	23,040.00
a 16	Township No. 5 north, range No. 7 west.	9,369.30							A + E 21,502.56	23,035.68
a 17	Township No. 5 north, range No. 10 west.	10,044.16	13,824.06						A + E 16,086.78	23,040.00
a 18	Township No. 5 south, range No. 3 west.	9,673.94	A.						A + D + E 12,985.84	23,040.00
a 19	Township No. 7 south, range No. 4 west.	14,878.54	5,767.11						A + E 19,196.45	29,645.76
a 20	Township No. 7 south, range No. 5 west.	3,843.55	A.						A + E 18,985.54	23,040.00
a 21	Township No. 8 north, range No. 5 east.	2,229.46	A.						A + E 6,884.25	23,025.98
a 22	Township No. 8 north, range No. 5 east.	16,141.73	A.						A + E + F 15,432.00	23,016.96
a 23	Township No. 8 south, range No. 9 west.	7,584.96	A.						A + E + F 19,233.19	23,040.00
a 24	Township No. 8 south, range No. 9 west.	3,898.88	A.						A + E 8,465.67	21,544.11
a 25	Township No. 10 north, range No. 7 east.	13,058.44	A.							23,024.34
a 26	Township No. 11 north, range No. 4 west.	10,791.94								23,001.60
a 27	Township No. 12 north, range No. 4 west.	1,106.40								23,044.00
a 28	Township No. 14 north, range No. 5 west.	14,538.96								22,931.42
a 29	Township No. 28 north, range No. 14 east.	10,025.05								
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33	Township No. 28 north, range No. 15 east.....	769.64				92,192.00			92,951.68
34	Township No. 29 north, range No. 13 east.....	92,713.66				2,400.00			22,953.66
35	Township No. 29 north, range No. 14 east.....	18,530.15				1,040.00			22,923.75
36	Township No. 29 north, range No. 15 east.....	12,677.64				4,306.57			22,939.19
<i>Humboldt meridian.</i>									
b 37	Township No. 1 north, range No. 3 west.....	7,192.64				E.		D + E 15,847.36	23,040.00
38	Township No. 1 south, range No. 2 west.....	8,647.96				E.		D + E 18,651.37	23,199.36
39	Township No. 1 south, range No. 3 west.....	4,388.73				D.			23,040.00
	Total.....	344,474.12	49,838.56			94,459.32	40,874.94	363,328.35	892,775.51
FORMER SURVEYS.									
<i>Mount Diablo meridian.</i>									
	Township No. 1 north, range No. 1 east.....	8,077.08				14,928.00			23,005.08
	Township No. 10 north, range No. 7 east.....	10,064.43	A.					F. A + F 11,479.68	21,544.11
<i>Humboldt meridian.</i>									
	Township No. 1 north, range No. 3 west.....	6,179.87				3,112.00	13,748.13		23,040.00
	Returned in previous reports.....	24,321.38				18,040.00	13,748.13	11,479.68	67,589.19
	Aggregate of land surveyed during the year ending June 30, 1885.....	320,152.74	49,838.56			76,419.32	26,826.81	351,848.87	825,186.32

Townships marked *a* returned in this report by order of the Commissioner of the General Land Office.
 Townships marked *b* are additional surveys made this year. I therefore enter the whole area, and deduct surveys made in previous year.

M.—Estimate for the surveying service in the district of California and Nevada for the fiscal year ending June 30, 1867.

For surveying extension of standard parallels, township exteriors, and subdivision work in the State of California.....	\$60,000 00
For surveying extension of standard parallels, township exteriors, and subdivision work in the State of Nevada.....	40,000 00
For rent of office, stationery, instruments, and other incidental expenses, (including pay of messenger).....	6,000 00
For compensation of surveyor general.....	3,000 00
For compensation of clerks in the office of the surveyor general.....	15,400 00
Total.....	<u>124,400 00</u>

H.

SURVEYOR GENERAL'S OFFICE,

Eugene City, July 20, 1865.

SIR: I have the honor to transmit herewith the usual annual report and accompanying statements, to wit:

A.—Statement showing the condition of surveying contracts not closed August 31, 1864.

B.—Statement showing the condition of surveying contracts entered into since August 31, 1864.

C.—Statement of original plats of standard parallel, guide meridian, exterior, and subdivisinal lines, copies transmitted to the general and local land offices since August 31, 1864.

D.—Statement of the expenditure of appropriation for compensation of surveyor general and clerks in his office for the year ending June 30, 1865.

E.—Statement of the expenditure of appropriation for rent, fuel, books, stationery, messenger, &c., for fiscal year ending June 30, 1865.

F.—Statement of the expenditure of appropriation for the extension of public surveys during the fiscal year ending June 30, 1865.

G.—Estimate of surveying and office expenses for fiscal year ending June 30, 1867.

H.—Diagram of Oregon, showing the extent of the public surveys, the lines now under contract, and proposed surveys, for fiscal year ending June 30, 1857.

FIELD-WORK.

The operations in the field during the past year have progressed to the full extent of the appropriation, and have been confined to those sections of country standing most in need of immediate surveys. A portion of the country adjoining the northern boundary of the State, in the vicinity of Walla-Walla, has been surveyed, and is being rapidly settled up. There is much more land in that section desirable for agricultural and grazing purposes and valuable for timber, which it is proposed to survey as soon as an appropriation can be obtained.

The settlers in the vicinity of the coast, along Smith's and Coquille rivers, who have been petitioning for a survey for years, are still living on unsurveyed lands, it being impossible to find a deputy willing to undertake the work in those regions at the price now paid for surveys.

The failure to obtain an appropriation for the extension of the public surveys during the fiscal year ending June 30, 1866, operates seriously against the interests both of settlers and the general government, as a heavy immigration is constantly coming to this State, and a large proportion are locating in eastern Oregon, where the surveys are already much in arrears of the present demand.

In accordance with your instructions under date of May 11, 1865, I submit the following, relative to the resources of Oregon:

WILLAMETTE VALLEY—THE PLAINS.

That portion of the Willamette valley which is pre-eminently agricultural, being the plains stretching between the uplands and rolling hills on either side of the Willamette river, is about 125 miles in length, and about a hundred townships in area. The river traverses a serpentine course through the central portion of the valley, and is navigable for steamboats to the Springfield Mills, above Eugene city. The bottoms produce an almost unbroken line of forests, from an eighth to a half a mile in width, consisting of fir, ash, maple, cottonwood, and alder, which supplies the plains on either side the river, for half the way across them, with timber.

At many points along the river the banks are elevated above high-water mark, affording beautiful sites for cities and towns. A number of these situations have been improved, and are now the sites of flourishing towns and villages. The river having been meandered in the surveys, the land upon the banks is fractional, and consequently has not been the most acceptable for donation claims by legal subdivisions, pre-emptions, or homesteads, yet, mainly for the sake of its timber, farmers located upon the neighboring plains have eagerly sought for titles to it through the location of school lands. A large amount, however, of this valuable land is still vacant, and when these fractions can be freely picked out, without circumlocution, and bought of government at Congress prices, many tracts, valuable for timber, farms, and perhaps for town sites, will be available to the emigrant.

The broad prairie lands of this valley—the more level portions of it inclined with the course of the river sufficiently for its drainage, but generally just rolling enough for agriculture—are very rich and deep, and bedded upon a foundation of clay and hard gravel cement which will preserve it for everlasting use. With a moderate expenditure of labor it will grow successfully the whole list of productions common to temperate regions, whether field, orchard, or garden. The chief of those productions may be enumerated, as wheat, oats, barley, rye, hay, maize, buckwheat, flax, hemp, sorghum, peas, beans, millet, broom-corn, pumpkins, and potatoes; of the garden, as turnips, squashes, cabbages, tomatoes, onions, cucumbers, gourds, beets, carrots, and parsnips; and of the orchard, as apples, pears, plums, cherries, apricots, quinces, and peaches. Many of these productions are of mammoth growth and of superior quality and flavor, and in quantity per acre equalling the richest countries in the world.

On account of a variety of resources before the Oregon farmer, by which he could not only insure his independence, but also "make his pile," he has not, as a general rule, concentrated that energy and attention in the cultivation of his land which is necessary to the development of the full capabilities of the soil. They monopolize so many advantages and opportunities that much valuable time is necessarily spent in considering which of them all it would be best to prosecute. A few thousands of individuals owning an amount of land that it would require many thousands to properly cultivate, presents a serious disproportion between the surface, the labor, and the demand. The farmer, in many instances, finds it easier, or more in accordance with his inclinations, to plough twenty acres four inches deep, than ten acres eight inches deep, or to plough twenty acres once only, than to plough ten acres twice. And thus he practically appears to prefer to take his four hundred bushels of wheat from the twenty acres, rather than from half that land. And, moreover, he frequently concludes to "dispense with seeding" altogether for two or three years, and let the farming "take care of itself," while he drives bands of beef and mutton to the mines, and trades and speculates generally, or keeps store in town a few years. He

visits his farm in the proper season just long enough to gather his "volunteer crop." However, he has no personal reason to complain of the lightness of his farm productions, the foulness of his land, or the destruction of his orchard, for he has, perhaps, in the mean time, gathered many thousands of dollars more than two or three such farms would bring, and thus laboring under the delusion that a farm and a home are intrinsically worth only the number of dollars which they would bring, he is satisfied with his accumulation of wealth, while his farm, and the country with it, is not advanced.

And notwithstanding that a heavy proportion of the articles necessary to his comfort or taste have not been manufactured or produced in the country, because the interests of the farm have been neglected; and instead of applying his means to its improvement and the increase of its productions, supplying the demands of home consumption, furnishing a surplus for other markets and offering a guarantee of such supplies to the manufacturer to come to the country and keep its wealth here and build it up, the farmer, when opportunity has offered, has too often pursued the unwise policy of still further extending his already too expansive acres. Thus a man deprives the country of a dozen valuable farmers, and the hundred villagers whom they would supply for their handiwork; and feels himself at the same time a better friend of the State, and a more valuable and important citizen, and richer himself and the State, while he owns his three thousand acres worth five dollars per acre, than if he had only five hundred acres worth thirty dollars per acre. And having so many hundred acres more than he can cultivate, he comparatively cultivates none; hence it is no evidence to the world of natural poverty, that Oregon has permitted California to sell hay, flour, and other produce in the streets of her chief emporium.

The wealth of these travelling, speculating, and mercantile farmers who neglected the improvement of their farms is doubly deceptive, for the money fast melting from their hands leaves no lasting benefit behind. One travelling expedition begets the necessity of another, and their departing summers mark the incidents of an active and exciting flight, that reaches no point of safety, and which really leaves the enemy—bankruptcy—but little further behind. But the wail of distress and failure which these have sent abroad when an expedition or speculation miscarried and bankruptcy came upon them, is no evidence that the ownership and cultivation of the soil in Oregon is a misfortune. Their distress should deter none from coming here, for, in fact, it prognosticates a better time in the future. These things indicate that the numerous sources of employment and of making money rapidly have a powerful tendency to allure men from the comparatively slow, but sure, avocation of the steady, sober, rational, and industrious farmer. They also indicate a positive demand for population, for all departments, trading, mining, speculating, but, above all, as the indispensable basis for the prosperity of a country and the success of all business, a need of farmers. The place for a man to emigrate is where his occupation is in demand.

And, also, true and scientific farming, with modern machinery and appliances, has, to some extent, been entered upon in Oregon; and no country, perhaps, could be better adapted to this method than the plains of the Willamette. Those enterprising farmers who have conceived it to their interest to embark in this improved plan have realized its success by the enjoyment of permanent improvements and substantial prosperity. In having adopted a policy by which the advancement of their wealth and that of the State coincide, they are entitled to the credit and consideration of public benefactors. And in a country where forty or fifty bushels of wheat may be produced to the acre, when by properly putting in the seed a crop never fails, and where the usual price is one dollar per bushel in gold, a homestead or pre-emption of one hundred and sixty acres of land gives industry and skill a respectable foundation upon which to grow rich. None of this land north of the 4th standard parallel south, on the

level plains or among the surrounding hills, has the government been able to offer for sale; and distributed, therefore, among the donation claims, fractional and otherwise, there are many valuable tracts of land still vacant, where thousands of farmers yet to come will build up magnificent houses.

THE HILLS.

Stretching parallel to the plains of the Willamette, and on either side of the same, and around the head of the valley, we have a beautiful rolling, undulating, hill country, like a grand border to the valley. It is a region of mixed prairie and woodland, hills and valleys, groves and vales, intervening between the grand prairies and forests, between the regular plains and the irregular mountains. While we may style the plains as beautiful, the hills must be regarded as picturesque. Their scattered clumps of alder and maple proclaim their numerous springs; their fir groves in the ravines and on the creeks and branches furnish the hill country and half the plain beyond with timber for improvements. While the oak, not too thick to retard the growth of the native grasses, nor too scattered to shade the grazing flocks and herds, crowns the hill-tops and the summits of the ridges with endless profusion, its dark green foliage, as the leading feature of the landscape, discloses the relative topography of the country far and near; and as we trace the summits of the hills and rolling ridges by the succession of these rounded tree-tops, there is presented to the eye every line of beauty and of grace, and the glory and grandeur of the border is complete.

This country may be estimated, in extent, as about the equal of the plains, and distributed in about equal proportions on the east and the west sides of the river. There is a greater proportion of this country now vacant and open to pre-emptions and homesteads, and location and entry as school lands, than of the plains; and where the lands of this part of the country are offered at public sale, and can be obtained by private entry, which will be the case as soon as possible, the opportunities for emigrants to obtain lands will be greatly increased.

A large proportion of the hill country is farming land, but its chief characteristic is grazing; and in horticulture and gardening is the equal if not the superior of the plains. Indeed, taking into consideration the increasing price of wool, and the peculiar adaptation of this country to sheep-raising, together with its many other advantages, it is probable that for all time to come it will cope in wealth and prosperity with the great plains themselves.

THE UMPQUA VALLEY.

The description of the hills of the Willamette valley will apply very well to the whole Umpqua country. It is a succession of hills and valleys, and is about forty townships in extent. The timber of the hills is principally oak, black and white. It is more a grazing than an agricultural country, though possessed of a large amount of agricultural lands of the first quality. The general productions are the same as those of the Willamette valley. The low and narrow valleys, however, being better protected from the summer sea-breezes than those of the Willamette, many productions succeed better. Sorghum, for example, has been cultivated in the Umpqua with more success and profit than in the Willamette.

The progress of its farming has been similar to that of the Willamette, and is now, though not so extensive, as well advanced. Wild plums and grapes are indigenous to this valley, and on this account it is claimed to be a better country for fruit than the Willamette. It is as good, at least, for all kinds of fruit, and for the grape it is no doubt better. The grape, perhaps, will eventually be cultivated with profit here. But no country, by its configuration, the quality of its soil, and the temperature of its climate, could be better adapted

to the growth of sheep, and wool promises to become the great staple of this country. The natural outlet of this valley is the mouth of the Umpqua river. Its land is open to pre-emption, homestead, or private entry.

ROGUE RIVER VALLEY.

There is in this valley a large proportion of comparatively level country, and also quite extensive sections of oak hills; the oak being the black and white, the same as in the Umpqua and at the head of the Willamette valley. The level country on the waters of this river is divided in different directions by high and sharp ranges of mountains, hundreds, and in some instances thousands of feet high. The comparatively level portions will amount to about forty townships; the oak hills to about ten. The land is generally of a different character from that of the Willamette or Umpqua valleys; it is a "granite land."

Farming in this valley has been carried on quite extensively, and with more science, skill, and success than in any other portion of Oregon. Every variety of production succeeds here that can be produced in the Willamette and Umpqua valleys, and as this valley is still better protected from the summer seabreezes than the Umpqua, the nights are still warmer, and many vegetables grow and mature the better for it. All productions mature earlier here than in either of the other valleys.

Many varieties of wild grapes and plums are indigenous to this country, and some very good varieties. All manner of fruit common to temperate climates succeeds well. The peach succeeds better here than in either the Willamette or Umpqua valleys. Considerable attention has been paid to the cultivation of the grape—enough indeed to demonstrate its success. Many of the most valuable varieties of the grape succeed well, producing quantities of wine per acre comparing favorably with the good wine countries of the world. There is an immense quantity of land in this valley suitable to the cultivation of the grape, and large amounts of it yet vacant. The land of this valley is open to private entry, pre-emption, and homestead.

NORTHERN OREGON.

That part of the State here described as northern Oregon is a sort of triangular-shaped section, the base running from Dalles City eastward along the Columbia river and the boundary line between Oregon and Washington Territory to where the same cuts the Blue mountains, a distance of about one hundred and fifty miles; and the perpendicular running southward from the same point along the eastern slope of the Cascade mountains to the headwaters of the Des Chutes, one hundred and twenty-five miles; and the western slope of the Blue mountains constituting an irregular kind of hypotenuse.

A large proportion of this country, particularly that drained by the Des Chutes and John Day rivers, is broken and uneven, with cañons, benches, table lands and hills, but being clothed, however, with a rich coat of grass, affords excellent grazing. The country constituting the southern limb of this triangle, including the Crooked river and Canyon City districts, is adapted almost exclusively to grazing; but in the vicinity of the Columbia and on the waters of the Umatilla and Walla-Walla rivers there is considerable first-rate agricultural country.

The productions here, natural and otherwise, are similar to those of other sections of Oregon, except that very little or no oak is found east of the Des Chutes river. About a hundred townships—a small proportion, really, of this country—have been surveyed, and numerous settlements and extensive improvements for agriculture, manufacture, and grazing have been made. This country is favorably located in point of market and business—the mines to the east and

south, and the navigation of the Columbia river to the west—the best evidence of which is the prosperity of the inhabitants. The land here is either unsurveyed, or open to pre-emption, homestead, or location and purchase as State or school lands.

KLAMATH LAKE COUNTRY—THE VALLEY.

This valley is about a hundred miles in length, and is located upon the eastern base of the Cascade mountains. The Little Klamath lake, which is principally a deep marsh of rushes, tules, and tall flags, extends up the valley from the boundary line about fifteen miles; then comes the Big Klamath lake, which is estimated at about fifteen miles wide by thirty long, open and deep water; the upper end of the valley being finished out with a marsh as wide as the Big lake, and about thirty-five miles long. Adjoining these waters there are quite extensive plains of rich lands, and much of them are prairies and suitable for agriculture. On the western side of the lakes and the river the plains, the uplands, and benches are extensively covered with pine forests. The rolling, grassy hills, principally on the eastern side of the valley, instead of being dotted over with the round-topped oak, have a sprinkle of juniper, though often growing in groves, yet generally too scattering to produce a good effect upon the landscape. The productiveness of this country, in an agricultural point of view, has been experimented upon but little. Many excellent varieties of plums flourish in these parts; but the oak is very seldom if ever found here. So far as settlers are concerned, this country is in a manner vacant, though houses have been built and settlements attempted; and is unsurveyed, except a few townships at the southern extremity of the valley. There having been no satisfactory treaty with the Indians, their title to the soil has not been extinguished; and as they have always been more than ordinarily treacherous and murderous, these and kindred difficulties have acted as a bar upon the progress of the settlements.

THE MARSH.

The upper or northern portion of this country is principally a marsh, the main part of which is about fifteen miles wide by about thirty-five in length. There is in all this scope but little open water, except the bed of the river, which winds the length of the marsh. It produces an immense growth of grass, and the principal portion is suitable for grazing or for hay. In the upper parts, where sloughs traverse the flats, wild rice flourishes with the greatest luxuriance. This rice grows twelve or fifteen feet high, and produces a heavy crop of grain, great quantities of which are gathered by the savages. It also forms the chief attraction for the innumerable flocks of wild fowl which inhabit this country. During the proper season of the year the vegetation on this marsh is either filled with eggs, or alive with young birds.

SOUTHEASTERN OREGON.

This embraces an extent of country about one hundred and fifty miles east and west, by one hundred north and south, and comprises the following valleys and districts of country: Lost river, Goose lake, Surprise, Warner's pueblo, Alvord, Harney lake, and Jordan Creek valleys, together with the country of the Owyhee, and adjoining the numerous lakes of the interior. The soil of these valleys generally is similar to that of the Klamath lake country, being open plains, producing grass and clover. The juniper supplies the place of the oak on the ridges and hills. The timber, generally confined to the narrow ridges of mountains which traverse this country in different directions, is principally pine. A large amount of land in these valleys is suitable for agriculture, and the scope for grazing is immense. The land is unsurveyed, though in some sections con-

siderable settlements have been made. The Indian title has never been extinguished, and the savages are now, and always have been, hostile towards the whites. The plum flourishes here; fish abound in the waters; clouds of water-fowl inhabit the lakes; the American big-horn, or mountain sheep, explores the cragged cliffs and peaks of the mountain ranges; and droves of antelope feed on the plains.

EASTERN OREGON.

That part of the country here designated as eastern Oregon embraces the Grande Ronde and Powder river valleys, and the country on Burnt, Malheur, and Snake rivers. It is about one hundred and twenty miles in extent, north and south, and runs westward on to the slopes of the Blue mountains. About twenty townships of this country have been surveyed, and all embraced in the valleys of Grande Ronde and Powder rivers. Much of this has been taken up and applied to agriculture. The principal portion, however, of this eastern section of Oregon is suitable only for grazing, and many settlements beyond the surveys have already been made for this purpose.

Grande Ronde is an almost circular valley of many miles in extent; the soil is rich, and agriculture flourishes. The northern and western rim is clothed with forests of fir, hemlock, and pine, from which perpetual supplies of timber for valley purposes may be had. In the Powder river valley, also, there are quite extensive plains of agricultural lands, the principal supply of timber for which being found about the spurs of the Blue mountains to the west. The productions of the farm in these valleys are similar to those of the Willamette valley, except that Indian corn, melons, and most varieties of garden vegetables are claimed to succeed much better.

Besides the plains described, and the numerous valleys of various extent distributed throughout this section, it is a rough, broken country of hills, ridges, benches, table lands, and long mountain spurs running eastward from the Blue mountain range toward Snake river, as divides between the different streams, and towards the deep cañons through which Snake river flows these ridges often spread into broad table lands or "sage plains." Upon the dividing ridges, and westward about the principal ranges of the mountains, there are numerous bluffs, cliffs, stacks, and peaks of rocks. The timber is principally cottonwood along the streams, and scattering pine and juniper upon the hills and ridges. In addition to the ordinary classes of game in Oregon, there is found in this section the ibex.

FORESTS OF OREGON.

Just above the hill country, which, as a general rule throughout the State, intervenes between the mountains and the plains, we enter the great forests of Oregon, which are coextensive with all our mountain ranges, and in some localities encroach upon the lower lands of the hills and valleys. The soil upon which this forest grows is generally good. The undergrowth, for example, over the greater extent being hazle, often three inches in diameter and twenty feet high, elder, alder, dogwood, myrtle, maple, ash, and willow, together with such other productions, both of shrubs and grasses, as indicate a rich, moist, and first-rate soil.

In the vicinity of the snow-capped peaks, along the most elevated dividing ridges and deep, rugged cañons of the central portions of the great mountain ranges, there are extensive regions which must remain forever uninhabitable to man. But distributed throughout other portions of this mountain forest there are immense amounts of land lying sufficiently even for cultivation; on some of the streams are large valleys and plains of many miles in extent, and upon the smaller creeks and branches there are numerous wide benches, table lands, val-

leys, coves, and basins, often level enough for many farms together, and connected and made accessible by cañons and passes which time will develop.

The northern and central portions of this forest are principally composed of fir, cedar, and hemlock. The southern and eastern sections have a larger proportion of pine. About the Calapooia mountains, at the head of the Willamette valley, there sets in a large thick-barked timber commonly called cedar, but which really is a species of cypress. Still further south, on the waters of Rogue river, we find the sugar pine; and upon the coast, below, or south of the mouth of the Umpqua river, there are heavy forests of the redwood and myrtle. The redwood makes a lumber in great demand in every market where it has been introduced. Immense quantities are manufactured and shipped from this coast, and large fortunes are being made in the business.

But for the general purposes of the civilized world, the fir is, perhaps, the most valuable timber. It is a strong and durable wood for all domestic architecture; for ships' spars, for powerful frame-work for heavy machinery, for railroad timber, for the furnace, and for coal, the fir has no superior. The leaves and the long hair-like moss which grows upon the limbs and the trunk will support animal life, as forage for sheep and cattle, through severe winter storms. The wood yields turpentine and rosin, and the bark is rich in tannin.

These impenetrable forests, though dark and sombre, are not, as the world might imagine, utterly silent and desolate; the fir and all its kindred growth of pine produces abundant and never-failing crops of seed, which supplies an innumerable population of small squirrels, various races of songsters of gay feathers, and countless thousands of sturdy grouse, whose energetic hootings in the spring of the year makes the woods vocal, and give a "thorough base" to all the music of the forest.

The ordinary denizens of the wilderness are found here—as elk, deer, bear, panthers, wild cats, and wolves. For many years after settlements spread up the valleys and among the adjoining hills the wolves were very numerous. They were of the largest and most ferocious species of this monster, and colts, calves, and the tempting baits of the sheep-fold and the pig-sty allured bands of them from their ancient spoil of the forests, and the raids of a single night often destroyed hundreds of dollars' worth of property. To make war, therefore, upon this common enemy became a matter of mutual consent, and powder and ball, together with the hundred-fold more deadly strychnine, has told the terrible story for them. Their dismal howls are but seldom heard, and the forests are fast becoming safe for domestic animals. Since the destruction of the wolves and the removal of the Indians game has become more numerous.

The first in position is the Coast range of mountains, which extend from the Columbia river to the California line, and borders on the coast. The next, lying along east of the Willamette, Umpqua, and Rogue river valleys, is the Cascade mountains, extending also from the Columbia river to the California line. The next, east, is the Blue mountain range. The Calapooia mountain separates the waters of the Willamette from those of Umpqua, and runs across from the Coast to the Cascade range. The Umpqua mountains run across in the same way, between the waters of the Umpqua and those of Rogue river. The Siskiyou mountains perform the same office, in the same way, between the waters of Rogue river and those of the Klamath, and constitute at this point a good natural boundary between Oregon and California. The lands of these forests, with few exceptions, are vacant and unsurveyed.

Upon the Coos and Coquille coast this forest land has been cleared, and its productiveness tested. Its richness is extraordinary, and all kinds of grain and vegetables are produced in the greatest abundance. In the vicinity of Portland and Oregon City this forest land has also, to some extent, been reduced to cultivation; it produces everything well, and in the growth of fruit-trees it is said to surpass any other land.

WATER-POWER.

Water-power of endless variety and capacity is everywhere to be found throughout the length and breadth of this country. There is scarcely a tributary of the Willamette, Umpqua and Rogue rivers, which may not, at some point, be applied to machinery, and on many of them it may be many times repeated. In fact, it is possible to the extent of the whole volume of these rivers, by improvement of the numberless available cascades and cataracts upon their numerous creeks and branches distributed throughout the hills and mountains from which they flow.

Should the heavy deposits of iron and other ores in the surrounding mountains, or manufacturing interests of the world, demand it, the availability of these water-powers could be indefinitely increased along these rivers to tide-water. At the fall of the Willamette, at Oregon City, the river might be divided up and taken out in pipes to the last extent of demand, and carried and used for miles along either bank, and perform the manufacturing work for a continent.

As a splendid site, however, for water-power, in cheapness of improvement and application, absolute safety from floods, and regularity of volume, the cascade on the Klamath river, (at this place usually called Sink river,) between the upper and lower Klamath lakes, surpasses all. Here is a river about 250 feet wide, pouring over a rock rim, out of a large lake, fifteen by thirty-five miles in extent, which acts as a grand regulating reservoir. From unmistakable evidence, in the course of a year, the elevation and depression of the water-level at this outlet amounts to but a few inches, and thus uniformly it appears to have flowed with one almost unchanging volume for ages. The length of this connecting link between the two lakes is about a mile, and the descent it makes is variously estimated at from fifty to a hundred feet. This power could be applied anywhere along the banks or bed of the stream, or taken out in ditches and flumes, and carried around the prairie hills on either side for miles, and there used upon machinery, and to irrigate the plains bordering upon the lower lake.

With only the water-power, which we have already considered, it is not unreasonable to say that the resources of Oregon, in this particular, are ample for all probable demands; but when we include all the numerous rapid streams draining northern and eastern Oregon, and putting into the Columbia river above and below the mouth of the Willamette, and into the Snake river, and the hundred other rivers and branches flowing from the coast range into the Pacific ocean, it is no exaggeration to declare that the water-power of Oregon is inexhaustible.

FISHERIES.

Fish are among the most important of the resources of Oregon, and at different points along our waters the business of putting them up for commerce is carried on with success. Salmon are the principal fish, and they abound during the proper season in all the streams along this coast, and the number of fisheries may be indefinitely increased to meet almost any imaginable demand. These fish make a fall and spring run from the ocean, penetrating most of the Oregon rivers to the smaller branches from which they flow, and stem the powerful current of the Columbia for more than a thousand miles.

The only point in Oregon where fresh-water fish of any consequence exist is in the Big Klamath lake. These are a fine fish, almost as large as the salmon, and are well flavored. At the south end of this lake is the principal fishery of

the Indians, and it has furnished the chief support for the thousands of savages who have for ages inhabited this section of country.

Oysters, of good quality, have been found upon this coast. Two or three beds of them, located at Tillamook and the Yaquina, have furnished quite a supply for commerce. It is believed that by proper cultivation and protection the supply can be not only maintained, but expanded to the proportions of a large and extensive trade.

MINES AND MINERALS—ROGUE RIVER MINES.

The oldest gold mines of Oregon are those of the Rogue River valley. They are distributed in all parts of that extensive country drained by the waters of this river. As compared with other mines of the Pacific coast, they are rich. For the last twelve years they have given employment to thousands of miners, and afforded a market for the farmers of this and the adjoining country. The gold-bearing dirt is widely distributed over this country, and the mines may be regarded as inexhaustible. Numerous quartz ledges, of a variety of richness and promise, have been found here. The celebrated "gold hill" is in this valley. The improvement of these mines by ditches and flumes to carry water upon their fields of "pay dirt" have been greatly retarded by new discoveries being constantly made to the north and east.

Saying nothing about the "big strikes" and "big slugs" which excite no one about old mines, and have been long common here, the claims in these mines pay from three to fifty dollars per day to the hand.

Silver, copper, iron, cinnabar, lime, marble—heavy quantities of the finest marble—and large beds of coal, have been found in this valley; and also numerous mineral springs of valuable medicinal qualities, of attractive flavor and temperature. Some have been improved.

UMPQUA MINES.

The mines on the Umpqua river are not so extensive as those on Rogue river, but some of them are very rich. Some mining has been done high up on the north Umpqua river, but it has mostly been confined to the south Umpqua and its tributaries. A number of quartz ledges have been discovered upon this river, and some of them have been worked with profit. Lime, and some very small veins of copper, have been found here. Considerable salt is made in the Umpqua valley. Three salt springs have been improved.

COAST MINES.

From six miles north of the Coquille river to ten miles south of Rogue river, gold dust is found in the ocean sand. Indeed, it is believed to be driven up from the bed of the ocean by the action of the surf and tide; and working it out does not appear to diminish the supply for the next season. This is the celebrated "gold beach;" it is about eighty miles in extent, will pay from three to thirty dollars per day to the hand, and is capable of giving employment to hundreds of miners.

There are numerous mines in the Coast range of mountains south of the Umpqua river, and a number of veins of gold-bearing quartz have been found. Coal beds about Coos bay are regarded as inexhaustible. Some of these coal beds have been opened, and considerable quantities of the coal have been shipped.

WILLAMETTE MINES.

These mines are on the tributaries along the east side of the valley, and in the Cascade mountains. They are on the Molalla, Santiam, McKenzie, Middle Fork, and Coast Fork. The mining on the Santiam is carried on principally by the use of heavy machinery, to crush the gold-bearing quartz. Great quantities of this quartz have been found in this section of the mountains; in fact, numerous lodes are found distributed in various places along the Cascade range. The mines on the Santiam have not been opened long enough to demonstrate what they will pay, but many of the specimens are as rich as the quartz taken from "gold hill." Some ledges showing very rich specimens have been found on the waters of the McKenzie river. The gold on the head branches of the Coast Fork is found distributed in the "pay dirt." They are of late discovery, but are believed to be of considerable extent, and that they will pay from three to twenty dollars per day to the hand.

Iron has been found on the waters of the Willamette, in both the Coast and the Cascade ranges. The resources of iron in this country are inexhaustible. One bed of ore, lying in the vicinity of Portland, has been traced for twenty miles. The quality of the ore and the iron has been tested; the ore is rich, and the iron is pronounced by all to be equal to the best Swedish and Russian. A powerful company is now organized in Oregon to manufacture iron.

A number of salt springs are found in the valley of the Willamette, but none of them have been improved to any degree of profit or success.

MINES OF NORTHERN OREGON.

These mines are situated principally upon the waters of the John Day river, embracing mainly the southern section of this district, Cañon City being its centre. There is here a variety of mining country, both placer and quartz. Copper and silver are both found here, but the great production of the "pay dirt," or of the numerous heavy ledges of quartz, is gold. This country is capable of giving employment to a great many miners. Its opened claims have hitherto paid from five to one hundred dollars per day to the hand.

MINES OF EASTERN OREGON.

Embraced in this division are numerous important mines, as the Grande Ronde, Powder river, Burnt river, Malheur, and numerous rivers, at various points, for a distance of about one hundred and fifty miles along the Snake river. Such a mining country as this, it is almost impossible to be over-populated with miners; in fact, thousands above the hundreds already here may find profitable employment in this section. The placer mines themselves may be regarded as inexhaustible. In addition to these, the country abounds in numerous heavy ledges of gold and silver bearing quartz, the richness of which, so far as tested, may be said to range from five to twenty-five hundred dollars to the ton. Numerous mills for crushing the quartz and collecting the metals are in operation, and the yield of bullion is already enormous. These mines pay from five to one hundred dollars per day to the hand.

MINES OF SOUTHEASTERN OREGON.

Embraced in this section we have so much of the mining country of the Owyhee river and Jordan creek as are not in Idaho Territory, and also the mines of Surprise and Puebla valleys. These mines are much the same in

character as those of eastern Oregon, except that in Peubla valley, in addition to heavy lodes of gold and silver-bearing quartz, there is said to be immense ledges of copper ore.

GENERAL REMARKS.

The extent of the mines in this State may be estimated as follows: From the Oregon and California boundary northward along the coast, 100 miles; eastward along the waters of Rogue river, 100 miles by 40 north and south; from the headwaters of the south Umpqua to the most northern mines of the Cascade range in Oregon, 200 miles; and east of the Cascade mountains the mining country may be estimated at 125 miles in width, east and west, by 275 miles north and south, constituting an area of about 35,000 square miles.

The export products of Oregon are, firstly, gold and silver, which now amount in the aggregate to the sum of \$15,000,000; 2d, the following as the chief articles: timber, lumber, shingles, wood, coal, wheat, flour, bacon, wool, apples, lard, butter, oysters, salmon and potatoes; which, according to the best statistical information at hand, may be estimated as worth \$10,000,000; making the entire export value of Oregon, for one year, amount to the grand total of \$25,000,000.

Very respectfully, your obedient servant,

E. L. APPLGATE,

Surveyor General of Oregon.

Hon. J. M. EDMUNDS,

Commissioner of General Land Office.

A.—Statement showing the condition of surveying contracts not closed August 31, 1864.

Contract.	No.	Date.	Name of deputy.	Description of lines.	Estimated distance.	Amount surveyed.		Price per mile.			Gross amount.	Remarks.
						Guide mer. & std. parallel.	Exteriors and subdivisions.	Guide mer. and std. per.	Exteriors & subdivisions.	Dolls.		
105	1864.	July 22	Wm. H. Odell.	Guide meridian between ranges 32 and 40 east, south 90 miles from south boundary of township 10 south and 3d and 4th standard parallel south, east from guide meridian to west bank of Snake river and 5th standard parallel south, east from guide meridian to west bank of Snake river and 5th standard parallel south, east from guide meridian to west bank of Snake river.	Miles. 366	Mls. chs. lks. 202 30 55	Mls. chs. lks.	Dolls. 13 00	Dolls. 8 00	2, 630 96		Contract closed, accounts transmitted and reported for payment.
106	1864.	Aug. 16	D.P. Thompson.	Exterior lines of townships 1, 2, and 3 north, ranges 32 and 33 east, and townships 1 and 2 south, ranges 31 and 32 east; Deschute's guide meridian to north boundary of township 40 south, 4th, 5th, and 6th standard parallels south, west from Deschute's meridian to Deschute's river; exterior township lines down Middle Fork of Willamette river, not to exceed one hundred and fifty miles.	492	.....	138 13 86	13 00	8 00	1, 105 38		Exterior lines of townships 1, 2, and 3 north, ranges 32 and 33 east, and townships 1 and 2 south, ranges 31 and 32 east, completed, and plats and accounts transmitted to the department. Time extended on balance of contract; deputy now in the field.

B.—Statement of contracts entered into since August 31, 1864.

Contract No.	Date.	Name of deputy.	Description of lines.	Est'd distance.	Amount surveyed.		Price per mile.			Gross amount.	Remarks.
					Extérieurs.	Subdivisions.	Standard parallels.	Extérieurs.	Subdivisions.		
107	1864. Sept. 21	Daniel Chaplin.	Subdivisions of townships 1, 2, and 3 north, ranges 32 and 33 east, and townships 1 and 2 south, ranges 31 and 32 east.	Mls. 500 chs. 74	Mls. 513 chs. 40 74				\$11 5, 648 60	Dolla. 5,648 60	Contract closed, acc'ts transmitt'd and reported for payment.
108	1865. Jan. 16	Wm. H. Odell.	Subdivisions in townships 17 and 18 south, range 1 west, and meanders of McKenzie river, in township 17 south, 1 west.	50	13 10 93				11	144 50	Acc'ts for amt surveyed transmitt'd. Bal. of contract cancelled. Field-notes returned. Plats and transcripts not yet completed.
109	1865. Jan. 30	D. P. Thompson.	Exterior lines of township 1 north, ranges 20 and 21 east; of township 1 south, ranges 21, 22, 23, and 24 east; of township 1 south, range 14 east; the subdivisional lines of townships 1 south, ranges 21 and 23 east; of south half of township 1 north, ranges 20 and 21 east; of north half of township 1 south, range 24 east; of township 1 south, range 22 east.	354				\$12	11		
110	1865. Feb. 7	Odell & Lewis.	First standard parallel north through ranges 31, 32, 33, 34, 35, 36, and 37 east; exterior lines of township 4 north, ranges 31, 32, and 33 east; of townships 5 and 6 north, 31, 32, 33, 34, and 35 east; subdivisions of township 4 north, 32 and 33 east; of townships 5 and 6 north, 33, 34, 35, and 36 east.	535			\$15	12	11		Field-notes returned. Plats and transcripts not yet completed.
111	1865. April 12	Forward & Underwood.	Subdivisions of townships 4, 5, and 6 north, 31 east; of townships 5 and 6 north, 32 east.	210					11		Cancelled, being in excess of appropriation.

C.—Statement of original plats of public surveys, copies transmitted to the general and local land offices since August 31, 1864.

Contract.		Date of voucher.	Name of deputy.	Lines.	Townships.	Range.	Pl'ts made.			Remarks.
No.	Date.						Original.	Sent to Comm'r.	Total.	
105	1864. July 22	1864. Dec. 12	Wm. H. Odell..	Guide meridian..... 3d stand'd parallel S.	11 to 25 south Bet. 15 and 16 south.	Between 39 and 40 east..... Through 40, 41, 42, 43, 44, 45, 46, 47 east	1	1	..	2
				4th stand'd parallel S	Bet. 20 and 21 south.	Through 40, 41, 42, 43, 44, 45, 45, 47 east	1	1	..	2
106	Aug. 16	Dec. 31	D. P. Thompson.	5th stand'd parallel S. { Exteriors { Exteriors	Bet. 25 and 26 south. 1, 2, and 3 north 1 and 2 south.....	Through 40, 41, 42, 43, 44 east. 32 and 33 east } 31 and 32 east }	1	1	..	2
107	Sept. 21	1865. March 4	Daniel Chaplin.	Subdivisions Subdivisions Subdivisions Subdivisions	1, 2, and 3 north 1 and 3 north..... 1 and 2 south..... 17 and 18 south.....	32 east..... 33 east..... 31 and 32 east..... 1 west	3	3	3	9
108	1865. Jan. 17	Feb. 18	Wm. H. Odell..				2	2	2	6

F.—Account of appropriation for extension of public surveys for year ending June 30, 1865.

Dr.			Cr.
To amount reported for payment on contract No. 105, W. H. Odell.....	\$2,630 96	By balance of appropriation of previous year.....	\$2,566 19
To amount reported for payment on contract No. 106, D. P. Thompson.....	1,105 38	By appropriation approved July 2, 1864	20,000 00
To amount reported for payment on contract No. 107, Daniel Chaplin.....	5,648 60	Estimated excess to balance.....	1,210 54
To amount reported for payment on contract No. 108, W. H. Odell.....	144 50		
To amount reported for payment on inspection account, W. M. Taylor.....	242 67		
	\$9,772 11		
ESTIMATED.			
Unfinished contract No. 106, D. P. Thompson.....	3,880 62		
Unfinished contract No. 109, D. P. Thompson.....	3,978 00		
Unfinished contract No. 110, Odell & Lewis.....	6,146 00		
	14,004 62		
	\$23,776 73		\$23,776 73

G.—Estimate for surveying and office expenses for fiscal year ending June 30, 1867.

OFFICE EXPENSES.			
For compensation of surveyor general and regular clerks.....		\$7,500 00	
For transcripts of field-notes to be sent to the General Land Office.....		2,400 00	
For office rent, fuel, incidental expenses, and messenger.....		1,800 00	
			\$11,700 00
SURVEYING SERVICE.			
For surveying 90 miles guide meridian, at \$15 per mile.....		1,350 00	
For surveying 160 miles standard parallels, at \$15 per mile.....		2,400 00	
For surveying 700 miles exterior township lines, at \$12 per mile.....		8,400 00	
For surveying 3,000 subdivisional lines, at \$11.....		33,000 00	
			45,150 00
Total estimate.....			56,850 00

I.

SURVEYOR GENERAL'S OFFICE,
Olympia, Washington Territory, July 15, 1865.

SIR: In compliance with instructions from the General Land Office, under date of May 11, 1865, I herewith submit the following report, in duplicate, of the progress of the public surveys in this district, and other operations of this office during the fiscal year ending June 30, 1865, together with a detailed report on the "varied resources of the country," so as to attract attention and immigration to the different regions of the Territory "possessing fertile soil, and affording other natural advantages to the varied branches of industry." I also forward the usual statements of the business appertaining to this surveying district, to accompany the report, as follows, viz:

A.—Statement showing the condition of contracts which were not closed at the date of the last annual report.

B.—Statement of original plats made, and copies transmitted to the General Land Office and district land offices since the date of the last annual report.

C.—List of township claim maps made, and copies transmitted to the General Land Office and district land offices during the fiscal year ending June 30, 1865.

D.—List of lands surveyed in Washington Territory since June 30, 1864, and up to June 30, 1865.

E.—Estimate of expenses incident to the survey of the public lands in the Territory of Washington for the fiscal year ending June 30, 1867.

F.—Map of Washington Territory, showing the condition of the field-work and proposed lines of survey for the fiscal year ending June 30, 1867.

A.—Statement showing the condition of contracts which were not closed at the date of the last annual report.

Contract.		Name of deputy.	Work embraced in contract.	Remarks.
No.	Date.			
72	May 5, 1863	D. G. Majors.....	Subdivision of fractional townships No. 6 north, ranges 31, 32, 33, 34, 35, 36, and 37 east.	No advices from deputy. Supposed to be abandoned.
74	June 25, 1863	George House, jr..	Subdivision of township No. 11 north, ranges 40, 41, 42, and 43 east.	Closed. Plats, &c., transmitted to General Land Office.
77	Aug. 12, 1864	H. J. Stevenson..	Subdivision of township 20 north, range 4 east.....	Closed. Plats, &c., transmitted to General Land Office.
78	July 14, 1864	George House, jr..	Subdivision of townships Nos. 9, 10, and 11, range 21 east; townships 10, 11, and 12, range 20 east; townships 10 and 11, range 39 east; and township 10, range 38 east.	Township No. 10, ranges 38 and 39 east, and township 11, range 39 east, closed. Plats, &c., transmitted to General Land Office. Deputy in the field at work on balance of contract.
79	July 14, 1864	F. Henry	Third standard parallel west from guide meridian, 78 miles exterior of townships Nos. 9, 10, 11, and 12, ranges 20, 21, and 22 east; township 13, ranges 18, 19, 20, and 21 east; and subdivision of township 9, range 29 east; townships 9 and 10, range 28 east; and township 13, ranges 18, 19, 20, and 21 east.	Subdivision of township 9, ranges 28 and 29 east; township 10, range 28 east; and third standard parallel, through ranges Nos. 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30 east, of west meridian, closed. Plats, &c., transmitted to General Land Office. Balance of contracts abandoned by mutual consent.
80	Sept. 1, 1864	E. Richardson....	Sixth standard parallel east, through range 6 east; south and east boundaries of township 24, range 6 east; and subdivision of township 24, range 6 east.	Closed. Plats, &c., transmitted to General Land Office.
81	Nov. 5, 1864	E. Richardson....	Subdivision of townships 23 and 24 north, range 5 east.....	Closed. Plats, &c., transmitted to General Land Office.
82	May 26, 1864	Charles A. White.	Third standard parallel, 6 miles west of corner to township 13, ranges 18 and 19 east; exterior of townships 9, 10, 11, and 12, ranges 20, 21, and 22 east; township 13, ranges 18, 19, 20, and 21 east; and subdivision of township 13, ranges 18, 19, 20, and 21 east.	Deputy now in the field.

B.—Statement of original plats made, and copies transmitted to the General Land Office and district land offices, since the date of the last annual report.

Description of plats.	Original.	General Land Office.	District offices.	Total	When transmitted.
Township No. 11 north, range 40 east.....	1	1	1	3	Aug. 20, 1864.
Township No. 11 north, range 41 east.....	1	1	1	3	Aug. 20, 1864.
Township No. 11 north, range 42 east.....	1	1	1	3	Aug. 20, 1864.
Township No. 12 north, range 43 east.....	1	1	1	3	Aug. 20, 1864.
Township No. 20 north, range 4 east.....	1	1	1	3	Nov. 15, 1864.
Sixth standard parallel, through range 6.....	1	1	....	2	Nov. 29, 1864.
Township No. 24 north, range 6 east.....	1	1	1	3	Nov. 29, 1864.
Township No. 32 north, range 12 west.....	1	1	1	3	Jan. 5, 1865.
Exteriors of township No. 31 north, ranges 7 and 8 west.	1	1	....	2	Jan. 5, 1865.
Meridian township No. 31 north, ranges 9, 10, and 11 west, and township No. 32 north, range 11 west.....	1	1	....	2	Jan. 5, 1865.
Township No. 10 north, range 38 east.....	1	1	1	3	Jan. 10, 1865.
Township No. 10 north, range 39 east.....	1	1	1	3	Jan. 10, 1865.
Township No. 11 north, range 39 east.....	1	1	1	3	Jan. 10, 1865.
Township No. 9 north, range 28 east.....	1	1	1	3	April 5, 1865.
Township No. 9 north, range 29 east.....	1	1	1	3	April 5, 1865.
Township No. 10 north, range 28 east.....	1	1	1	3	April 5, 1865.
Third standard parallel west, through ranges 19 to 30...	1	1	....	2	April 20, 1865.
Township No. 23 north, range 5 east.....	1	1	1	3	May 18, 1865.
Township No. 24 north, range 5 east.....	1	1	1	3	May 18, 1865.

C.—List of original township claim maps made, and copies transmitted to the General Land Office and district land offices, during the fiscal year ending June 30, 1865.

Description of plats.	Original.	General Land Office.	District offices.	Total.	When transmitted.
Township 33 north, range 2 east.....	1	1	1	3	Sept. 20, 1864.
Township 20 north, range 4 east.....	1	1	1	3	June 20, 1865.

D.—List of lands surveyed in Washington Territory since June 30, 1864, and up to June 30, 1865.

No. of townships surveyed.	Description.	Public lands.	Donation claims.	Military reservations.	Indian reservations.	Add error in computation.	Total.
		<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
1	Tp. 38 N., R. 2 E..	10,747.55	1,344.08			98.92	12,190.55
2	Tp. 20 N., R. 4 E..	12,087.54	3,306.81		5,470.19	12.63	20,877.17
3	Tp. 24 N., R. 6 E..	20,675.07					20,675.07
4	Tp. 10 N., R. 38 E..	22,958.73					22,958.73
5	Tp. 10 N., R. 39 E..	23,036.47					23,036.47
6	Tp. 11 N., R. 39 E..	22,933.40					22,933.40
7	Tp. 9 N., R. 28 E..	21,922.99					21,922.99
8	Tp. 10 N., R. 28 E..	20,701.79					20,701.79
9	Tp. 9 N., R. 29 E..	20,755.15					20,755.15
10	Tp. 23 N., R. 5 E..	21,238.24	317.68				21,555.92
11	Tp. 32 N., R. 12 W.	1,681.80					1,681.80
12	Tp. 24 N., R. 5 E..	18,842.44					18,842.44
13	Tp. 11 N., R. 40 E..	22,970.79					22,970.79
14	Tp. 11 N., R. 41 E..	23,010.82					23,010.82
15	Tp. 11 N., R. 42 E..	23,044.99					23,044.99
16	Tp. 12 N., R. 43 E..	23,111.13					23,111.13
	Total	309,718.90	4,968.57	.....	5,470.19	111.55	320,269.21

E.—Estimate of expenses incident to the survey of the public lands in the Territory of Washington for the fiscal year ending June 30, 1867.

For salary of surveyor general.....	\$2,500
For salary of chief clerk.....	1,800
For salary of draughtsman.....	1,500
For salary of assistant draughtsman.....	1,500
For salary of one clerk.....	1,300
For rent of office, wages of messenger, purchase and repairs of instruments, field books, stationery, and other incidental expenses.....	2,500
For 350 miles meridian and parallel lines, at \$15 per mile.....	5,340
For 270 miles township exterior lines, at \$12 per mile.....	3,240
For 2,280 miles subdivisional lines, at \$11 per mile.....	25,080
Total	<u>44,760</u>

The estimate of 356 miles for meridian and standard parallel lines includes 66 miles of the Columbia guide meridian, from the northeast corner of township number 28 north, range 31 east, north to the boundary line between the British possessions and Washington Territory and the Puget Sound guide meridian, south six miles. Also the 9th standard parallel east of the Columbia guide meridian, sixty-six miles, and eighteen miles west of said meridian, as a base of operations for the survey of township in the Colville and Okinakane River districts. It also includes sixty-six miles of the 4th standard parallel, east from said Columbia guide meridian, to the boundary line between Washington and Idaho Territories as a base for surveying operations on the Pelouse river and its numerous tributaries. It also includes from twelve to eighteen miles each of the 3d, 4th, 5th, 6th, 7th, 8th, and 9th standard parallels east of the Willamette meridian, in order to extend the township surveys up the foot-hills of the

mountains, and also in order to keep pace with the settlements which are fast extending up all the little valleys, which are very numerous between the 3d and 9th standard parallels.

The estimate of 270 miles township exterior lines includes townships Nos. 34 and 35, ranges 40, 41, 42, and 43 east, in the Colville district; also townships 31 and 32, ranges 4 and 5 east; townships 24 and 25, ranges 6 and 7 east; townships 28 and 29, range 1 west; townships 13 and 14, ranges 7, 8, and 9 west, and several fractional townships on the Columbia river, between Cascades and township 2, range 12 east.

The estimate of 2,280 miles subdivisinal lines includes 480 miles in the Colville district, being townships 34 and 35, ranges 40, 41, 42, and 43 east. Most of the land in these townships is of the very best quality, and a large portion of it has been settled and cultivated for the last thirty years or more, and the balance is fast being settled by American citizens. About all the old settlers were voyageurs, or their descendants, connected with the Hudson Bay Company. The settlers in this region of our Territory have frequently and earnestly petitioned this office for the survey of said district. Said estimate of 2,280 miles also includes the subdivision of townships Nos. 21 to 30 inclusive, range 5 east, and townships 31 and 32, range 4 east; township 12, range 2 east. A very large portion of these townships contain first quality of soil, and are being fast settled. We deem it absolutely necessary that they should be subdivided, not only for the benefit of the present settlers, but for the benefit of the coming immigration. It also includes townships 13 and 14, ranges 7, 8, 9 west, containing many settlers who are exceedingly anxious to have the same surveyed. Also townships 28 and 29, range 1 west, and townships 13, 14, and 15, range 1 east, and townships 20, range 5 east; townships 14 and 15, range 1 west, and the fractional townships on the Columbia river, between Cascades and township 2, range 12 east.

The agricultural advantages possessed by Washington Territory are very great. Although a large portion is mountainous, it contains within its borders great prairies and rich grazing lands, which would afford nutriment to countless flocks of sheep and herds of cattle; and its hundreds of thousands of acres of rich alluvial and upper fertile soil would richly remunerate the agriculturist to open the same to the various productions of the earth. West of the Cascade mountains there is nearly as large an amount of arable land as in the State of New York, including the rich lands of the Chehalis valley, nearly all of which has been surveyed, and contains now about two hundred settlers, and there yet remains about two hundred and fifty thousand acres of the very best arable land unoccupied. The Chehalis river falls into Gray's harbor, and is navigable for small steamers for about sixty miles up from its mouth, giving a most excellent water communication to Gray's harbor, from whence produce can be shipped to San Francisco, Victoria, or to any other market on the Pacific.

The valley of the Willapa, from Shoalwater bay up as far as Elk prairie, thirty-five miles, is well adapted to cultivation and stock-raising, and has abundance of timber and water. Between the mouth of the Willapa river and Elk prairie there are nine prairies, containing, on an average, about two sections each of the very best soil. This river, however, for eight or ten miles up, flows mostly through tide lands, which are covered with most excellent grass, growing from three to four feet high. Large crops of potatoes and other garden vegetables, and in fact heavy crops of wheat, have been raised on these natural meadows. They are overflowed only by the highest winter tides, while branches and sloughs make them accessible from the river by boats. Above the tide lands the river is lined by higher bottom lands and prairies, which are considered the best lands on the river for the cultivation of the cereals. There are now about fifty settlers in this valley, and the land produces from fifty to sixty bushels of wheat to the acre, and in fact, wherever the soil has been cultivated,

has produced most excellent crops. The valley extends about fifty miles above the mouth of the river, and is from eight to ten miles wide. The sub-soil of the hills back of the prairies consists of clay, generally soft, and is covered with a rich mould. The timber on the hill consists of yellow fir, white and red spruce, hemlock and cedar, and along the rivers, maple, cedar, and cottonwood. The valley will probably be surveyed next summer.

The Cowlitz river, running southwardly, and falling into the Columbia near Monticello, drains at least half a million of acres of fertile lands, and has many of the oldest settlers in the Territory among its prosperous farmers. All cereal grains, except Indian corn, grow admirably here, the wheat in particular. The valley contains about two hundred and fifty settlers, and a very large portion has been surveyed.

The rich bottom lands of the Nesqually, Puyallup, Dwamish, White, Green, Cedar, Snoqualmoo, Stalukahamish, Skagit, and Nooksahk rivers, the waters of which disembogue in Admiralty inlet and Puget sound; are broad, rich, and of the most fertile quality, and, with the exception of a large portion of said lands being densely timbered with fir and cedar, will bear about the same description as given of the Willopa valley. It has been proved by actual cultivation that all the cereal grains, except Indian corn, flourish admirably upon these river bottoms and adjacent lands.

All kinds of fruit that would flourish in the State of New York, except the peach, do exceedingly well in this Territory, particularly apples, plums, and pears, from the cultivation of which fortunes have already been made here. A very large variety of berries, large and of excellent quality, both wild and cultivated, grow here in great profusion.

Washington Territory, east of the Cascade mountains, contains a vast amount of unsettled fertile land, capable of producing all the varieties of cereal grains, fruits, &c., in quantity and quality about the same as west of the mountains.

The Walla-Walla valley contains now a population of about two thousand, and surpasses in extent, advantages, climate and soil, that of the Great Salt Lake, and can subsist a larger population.

The Colville valley contains, as far as ascertained to a certainty, about twelve townships of excellent fertile soil, and hundreds of thousands of acres of the very best grazing lands.

The Yakama valley contains a large amount of arable land unsettled, and a very great amount of grazing land. This valley is admirably adapted to stock-raising.

As a general thing our winters west of the mountains are rainy, with but very little snow or freezing weather, and when the grass is not grazed too close in the summer, stock will thrive without feeding at all; but it would be considered risky not to provide thirty or forty days' feed for stock every fall. The climate here is far milder than in the same latitudes east of the Rocky mountains. One great cause of this, undoubtedly, is, that the winds blow almost constantly from the ocean; during the summer from the north and northwest, and in winter from the south. The winter winds coming from the tropics are consequently warm, and much rain falls. The ground is rarely covered with snow, and often remains unfrozen throughout the entire winter; the mean temperature at Olympia being fifty-two degrees, and at Cape Disappointment fifty-two degrees.

The climate is peculiarly salubrious; no epidemic prevails, and as a general thing the white population are remarkably healthy and energetic. The great forests of cedar, fir, and spruce undoubtedly exert a salutary influence on the surrounding atmosphere.

It is already known that Washington Territory produces timber in abundance, and of the finest quality. For plank, boards, scantling, and building materials generally, no part of the world is so bountifully supplied with the raw material; and for ships' spars of the very best quality, the world might find here an

ample supply. With such an extent of inland navigable water, with harbors for ships and water-power, and coal in great abundance to produce steam, with an inland coast of nearly three thousand miles upon the waters of the sound, lined with the most valuable forests of the world, Washington Territory has already become the great lumber factory for the Pacific, and soon will be the great lumber and spar depot for the world.

Our foreign exports of lumber and spars amount now to over one and a half million of dollars per annum.

Washington Territory is rich in its mineral productions. Great mines of superior coal have been opened and worked on Bellingham bay, on the Sammamish lake, near Seattle, and on the Straits of Fuca. Coal in vast fields has lately been discovered near the waters of the sound in various localities, and all that is needed to successfully work these newly discovered mines are men and capital. The government will some day become aware of the importance of Puget Sound as a coal depot for the supply of the naval vessels which must ever be kept permanently upon the waters of the Pacific. Coal could be furnished on board its men-of-war for about one-half of the cost of transportation from the Atlantic side to the present depot on this coast. Quarries of marble, granite, lime, and sandstone are inexhaustible, and in gold, copper, and lead the Territory is exceedingly rich. Ledges of gold-bearing quartz and lead mines have lately been discovered on the headwaters of White and Nisqually rivers. It is believed that these mines are extensive, and several companies are now making preparations to work them.

There are several varieties of fish taken at the mouth of the Straits of Fuca, and on the fishing banks, which commence about fifteen miles northwest from Cape Flattery, called cod, and of these the variety called by the Indians "cardarte" is the true Newfoundland cod. Halibut are also abundant in these waters. Further north along the coast, between Cape Flattery and Sitka, in the Russian possessions, both cod and halibut are very plenty and of a much larger size than those taken at the cape, or further up the straits and sound. No one who knows these facts for a moment doubts but that if vessels, similar to those used by the Bank fishermen that sail from Massachusetts and Maine, were fitted out here, and were to fish on the various banks along this coast, it would even now be a most lucrative business. Cod and salmon are also taken in large quantities far up the sound, especially in Elliott's bay, near Seattle, and in the narrows, but the cod are much smaller than those taken on the banks, and are undoubtedly the young fish, as they resemble the large cod in every particular. They weigh from three to eight pounds.

The cod and halibut on this coast up near Sitka are fully equal to the largest taken in the eastern waters.

Salmon, sturgeon, rock cod, tom cod, and various other kinds of eatable fish, especially the salmon, are to be found in great abundance at Shoalwater bay, Gray's harbor, Columbia river, and in well-nigh all the waters of the sound.

The best salmon are taken in the Qui-nai-elt river in the spring and fall. They are short, thick, and very fat, and rarely attain ten pounds weight, and are an entirely distinct variety from any that run up either the Columbia or the Straits of Fuca. Shell-fish, such as clams, mussels, and crabs, are abundant in all the waters of the sound and upon the coast. Oysters, though small, are found in abundance at Oyster bay, on Budd's inlet, near Olympia, and many other localities on the sound. At Shoalwater bay oysters have been greatly improved by transplanting, and already the oyster trade at that one point amounts to over one hundred and fifty-thousand dollars per annum.

There is no State or Territory in the Union that surpasses this Territory for the extent of its water-power. By reference to the accompanying map it will be seen that the whole country west of the Cascades is traversed by streams

of various sizes, which, like veins, extend themselves in every direction. On almost all these streams may be found water-powers of various capacities. Some of the most important of these streams are found near Olympia, Seattle, Whatcom, Gray's harbor, and at the Snoqualmoo falls, where sufficient power for the largest description of mills and factories can be obtained.

One great disadvantage, the want of a good road across the Cascade mountains, to immigration in getting to the waters of Puget sound, is now about to be remedied. The people residing on the sound and vicinity have determined to have a passable road over the Na-chess pass of the mountains, and large amounts of money sufficient for the work have been subscribed and paid in for this object. A party of twenty-five men are now about ready to commence work, with a determination to open the road in time for the fall immigration.

It will be remembered that Congress once made an appropriation of twenty thousand dollars to open this route as a military road. The funds were expended and road made in 1854, and quite a large immigration came by that road in 1854 and 1855, but since that time the road has been used only to drive stock over, and has consequently become impassable for wagons on account of the fallen timber and underbrush accumulated during the Indian war.

E. GIDDINGS,

Acting Surveyor General Washington Territory.

Hon. J. M. EDMUNDS,

Commissioner General Land Office.

No. 13.—*Agricultural selections within certain States, and also scrip locations under agricultural and mechanics' act of July 2, 1862.*

Land districts.	Quantity selected.	Quantity located to June 30, 1865.	Quantity located in July and August, 1865.
MINNESOTA.	Acres.	Acres.	Acres.
Taylor's Falls.....		1,280.00	
St. Cloud.....	10,062.48	22,051.25	1,440.00
Winnepago City.....	34,464.89	20,019.86	
Minneapolis.....	32,817.74	22,617.11	160.00
St. Peter.....	42,507.06	19,089.65	480.00
Duluth.....		2,080.00	960.00
Total.....	119,852.17	87,137.87	3,040.00
WISCONSIN.			
Stevens's Point.....	110,981.22		
Menasha.....	39,818.16	1,760.00	
Falls of St. Croix.....	57,636.03	1,120.00	
Eau Claire.....	31,572.32	2,556.42	1,440.00
Total.....	240,007.73	5,436.42	1,440.00
KANSAS.			
Topeka.....		1,600.00	320.00
Humboldt.....		2,236.72	
Junction City.....	90,000.40	480.00	
Total.....	90,000.40	4,316.72	320.00
IOWA.			
Des Moines.....	10,983.61	320.00	
Council Bluffs.....			
Fort Dodge.....	155,423.54	320.00	
Sioux City.....	73,593.81		
Total.....	240,000.96	640.00	
MICHIGAN.			
Detroit.....	20,516.54	4,284.93	
East Saginaw.....		70,536.00	1,120.00
Ionia.....		8,488.69	
Marquette.....		258,396.66	7,040.24
Traverse City.....	97,980.31	5,719.20	
Total.....	118,496.85	347,425.48	8,160.24

No. 13.—*Agricultural selections within certain States, &c.*—Continued.

Land districts.	Quantity selected.	Quantity located to June 30, 1865.	Quantity located in July and August, 1865.
	Acres.	Acres.	
MISSOURI.			
Boonville		1, 120. 00	
Total		1, 120. 00	
NEBRASKA TERRITORY.			
Omaha City		5, 114. 42	
Brownsville		2, 065. 92	1, 280. 00
Nebraska City		5, 113. 24	1, 280. 00
Total		12, 293. 58	2, 560. 00
WASHINGTON TERRITORY.			
Olympia		1, 760. 10	
Total		1, 760. 10	
RECAPITULATION.			
Minnesota	119, 852. 17	87, 137. 87	3, 040. 00
Wisconsin	240, 007. 73	5, 436. 42	1, 440. 00
Kansas	90, 000. 40	4, 316. 72	320. 00
Iowa	240, 000. 96	640. 00	
Michigan	118, 496. 85	347, 425. 48	8, 160. 24
Missouri		1, 120. 00	
Nebraska Territory		12, 293. 58	2, 560. 00
Washington Territory		1, 760. 00	
Total	808, 358. 11	460, 130. 07	15, 520. 24
Total located		475, 650. 31	
Total selected		808, 358. 11	
Total		1, 284, 008. 42	

The whole number of pieces of scrip issued 30, 339
 The whole number of pieces located to June 30, 1865 2, 851
 The whole number of pieces located in July and August, 1865

No. 14.

Statement exhibiting land concessions by acts of Congress to States and corporations for railroad and military wagon road purposes from the year 1850 to June 30, 1865.

States.	Date of laws.	Statutes.	Page.	Name of road.	Mile limits.	Number of acres certified under the grants.	Estimated quantities lying under the grants.
Illinois	Sept. 20, 1850	9	466	Illinois Central	6 and 15	2,585,053.00	2,585,053.00
Do.	do.	9	466	Mobile and Chicago	6 and 15		
Mississippi	Sept. 20, 1850	9	466	Mobile and Ohio River	6 and 15	737,130.29	1,004,640.00
Do.	August 11, 1856	11	30	Southern railroad	6 and 15	171,530.00	404,800.00
Do.	do.	11	30	Gulf and Ship Island railroad	6 and 15		652,800.00
Alabama	Sept. 20, 1850	9	466	Mobile and Ohio River	6 and 15	419,528.44	220,400.00
Do.	May 12, 1856	11	15	Alabama and Florida	6 and 15	394,532.99	419,520.00
Do.	do.	11	15	Alabama and Tennessee	6 and 15	440,700.16	481,920.00
Do.	June 3, 1856	11	17	Northeastern and Southwestern	6 and 15	269,535.58	631,840.00
Do.	do.	11	17	Coosa and Tennessee	6 and 15	67,784.96	132,480.00
Do.	do.	11	17	Will's Valley	6 and 15	171,930.51	206,080.00
Do.	do.	11	17	Mobile and Girard	6 and 15	404,145.86	810,880.00
Do.	do.	11	16	Coosa and Chattahoochee	6 and 15		150,000.00
Do.	August 11, 1856	11	32	No map filed			
Missouri	June 10, 1852	10	8	Hannibal and St. Joseph	6 and 15	593,891.35	781,944.83
Do.	do.	10	8	Pacific and Southwestern Branch	6 and 15	1,138,073.54	1,161,235.07
Do.	February 9, 1853	10	155	Calao and Fulton	6 and 15	63,540.11	219,262.31
Arkansas	February 9, 1853	10	155	Memphis and Little Rock	6 and 15	1127,238.51	438,646.89
Do.	do.	10	155	Calao and Fulton	6 and 15	1,115,408.41	1,160,067.40
Do.	do.	10	155	Little Rock and Fort Smith	6 and 15	550,520.18	550,523.34
Iowa	May 15, 1856	11	9	Burlington and Missouri River	6 and 15	287,046.34	948,613.66
Do.	June 2, 1864	Pam. Laws.	95	do.	20		101,110.67
Do.	May 15, 1856	11	9	Mississippi and Missouri	6 and 15	481,774.36	1,144,904.90
Do.	June 2, 1864	Pam. Laws.	95	do.	20		116,276.70

* In the adjustment of this grant the road was treated as an entirety, and without reference to the State line; hence Alabama has approved to her more and Mississippi less land than they would appear to be entitled in proportion to the length of road line in the respective States.

† To the area heretofore reported must be added 327,871.10 acres, making the whole quantity certified to the State equal to 1,793,167.10.

No. 14.—Statement exhibiting land concessions by acts of Congress to States and corporations, &c.—Continued.

States.	Date of laws.	Statutes.	Page.	Name of road.	Mile limits.	Number of acres the- titled under the grants.	Estimated quantities inuring under the grants.
Iowa.....	May 15 1856.	11	9	Cedar Rapids and Missouri River, (formerly Iowa Central Air Line.)	6 and 15	775,717.67	1,298,739.00
Do.....	June 2, 1864	Pam. Laws.	95	Cedar Rapids and Missouri River.	20		123,370.00
Do.....	May 15, 1856	11	9	Dubuque and Pacific.	6 and 15	1,256,163.89	1,256,163.05
Do.....	May 12, 1864	Pam. Laws.	72	McGregor and Western.	10 and 20		1,256,000.00
Do.....	do.			Land granted to State for railroad from Sioux City to the south line of the State of Minnesota, "at some point between the Big Sioux and West Fork of the Des Moines river."	10 and 20		1,256,000.00
Florida.....	May 17, 1856	11	15	Florida railroad.	6 and 15		442,542.14
Do.....	do.	11	15	Alabama and Florida.	6 and 15	281,984.17	163,688.00
Do.....	do.	11	15	Pensacola and Georgia.	6 and 15	1,275,212.93	1,568,732.87
Do.....	do.	11	15	Florida, Atlantic, and Gulf Central	6 and 15	37,563.29	183,153.99
Michigan.....	June 3, 1856	11	21	Flint and Pere Marquette.	6 and 15	511,435.90	586,838.73
Do.....	do.	11	21	Grand Rapids and Indiana.	6 and 15	629,182.32	1,052,466.19
Do.....	do.	11	21	Amboy, Lansing, and Traverse Bay.	6 and 15	719,366.53	353,420.19
Do.....	do.	11	21	Detroit and Milwaukee, (from Owaseo to Grand Haven).	6 and 15	30,986.75	312,384.32
Do.....	do.	11	21	Port Huron and Milwaukee, (from Owaseo to Port Huron).	6 and 15	6,468.68	218,860.67
Do.....	do.	11	21	Bay de Noquet and Marquette.	6 and 15	218,681.10	136,000.00
Do.....	do.	11	21	do.	300 sects.		136,000.00
Do.....	March 3, 1856.	Pam. Laws.	521	Marquette and Ontonagon.	6 and 15	216,919.19	309,313.94
Do.....	do.	11	21	do.	30 miles.		293,380.00
Do.....	June 3, 1856.	Pam. Laws.	521	Chicago, St. Paul, and Fond du Lac, (branch to Ontonagon).	6 and 15	174,020.41	298,592.94
Do.....	do.	11	21	Chicago, St. Paul, and Fond du Lac, (branch to Marquette).	6 and 15	162,044.46	373,680.00
Do.....	July 5, 1852	12	620	Pensacola, from Marquette to the mouth of the Mcnominie river.			185,800.00
Do. (Joint res.)	March 3, 1856.	Pam. Laws.	521	Penninsula railroad.	20		610,880.00
Louisiana.....	June 3, 1856	11	18	Vicksburg and Shreveport.	6 and 15	353,911.70	907,840.00
Do.....	do.	11	18	New Orleans, Opelousa, and Great Western.	6 and 15	719,103.75	
Do.....	August 11, 1856.	11	32	No map filed.			
Wisconsin.....	June 3, 1856	11	91	La Crosse and Milwaukee.	6 and 15	394,943.38	494,907.81
Do.....	do.	11	91	St. Croix and Lake Superior.	6 and 15	594,718.15	594,714.95
Do.....	do.	11	91	Brainerd to Bayfield.	6 and 15	318,740.80	318,737.74
Do.....	May 5, 1864.	Pam. Laws.	66	Provides that any deficiency for above roads may be made up within.	20		

Do.....	June 3, 1856.....	11	Chicago and Northwestern.....	6 and 15	211, 143.02	600,000.00
Do..(resolution)	April 25, 1862.....	618	Change line of route.....	10 and 20		1,400,000.00
Do.....	May 5, 1864.....	66	From Portage City, Berlin, Doty's Island, or Fond du Lac, in a northwestern direction to Bayfield and thence to Superior.			
Minnesota.....	March 3, 1857.....	195	St. Paul and Pacific.....	6 and 15	466,566.14	680,000.00
Do.....	March 3, 1865.....	526	do.....	6 and 15	438,075.38	500,000.00
Do.....	March 3, 1857.....	195	Branch, St. Paul and Pacific.....	10 and 20		680,000.00
Do.....	March 3, 1865.....	526	do.....	10 and 20		750,000.00
Do.....	July 12, 1862.....	624	Authorized change of route.....			735,000.00
Do.....	March 3, 1857.....	195	Minnesota Central.....	6 and 15	174,074.81	353,403.09
Do.....	March 3, 1865.....	526	do.....	10 and 20		290,000.00
Do.....	March 3, 1857.....	195	Winona and St. Peter.....	6 and 15	292,183.75	730,000.00
Do.....	March 3, 1865.....	526	do.....	10 and 20		680,000.00
Do.....	March 3, 1857.....	195	Minnesota Valley.....	6 and 15	269,708.74	680,000.00
Do.....	March 3, 1865.....	526	do.....	10 and 20		150,000.00
Do.....	May 12, 1864.....	74	Lake Superior and Mississippi.....	10 and 20		800,000.00
Do.....	May 5, 1864.....	64	Provides for two roads and two branches, (no map filed).....	10 and 10		2,500,000.00
Kansas.....	March 3, 1863.....	772	Union Pacific railroad, with branch from Omaha, Nebraska, from Missouri river to Pacific ocean.	10		
Corporations.....	July 1, 1862.....	489	Central Pacific, to eastern boundary of California, thence to meet Union Pacific; act 1864, page 368.	20		35,000,000.00
Do.....	July 2, 1864.....	356	Northern Pacific railroad, (from Superior to Puget sound).....	20 and 40		47,360,000.00
Do.....	do.....	365				
Wisconsin.....	March 3, 1863.....	797	WAGON ROADS. From Fort Wilkins, Copper Harbor, Michigan, to Fort Howard, Green Bay, Wisconsin.	3 and 15		
Michigan.....	March 3, 1863.....	797	From Fort Wilkins, Copper Harbor, Michigan, to Fort Howard, Green Bay, Wisconsin.	3 and 15		221,013.27
Do.....	June 20, 1864.....	140	From Sault Ste. Marie, Michigan, by the shortest and most feasible route to the Straits of Mackinaw.			
Do.....	do.....	140	From Grand Rapids, through Newaygo, Traverse City, and Little Traverse, to the Straits of Mackinaw.	6		1,497,600.00
Oregon.....	July 2, 1864.....	355	From Eugene City, by way of Middle Fork of Willamette river, and the most feasible pass in the Cascade range of mountains, near Diamond Peak, to the eastern boundary of the State.	3		72,960.00

* The quantity heretofore reported is reduced to 842,126.85 acres, which amount was certified up to 30th September, 1863.
† Upon revision, it is found that 1,439,020.99 acres is the true quantity certified up to 30th September, 1863.

RECAPITULATION.

States.	Estimated number of acres granted for wagon roads.	Number of acres certified under the grants.	Estimated number of acres granted.
Illinois.....		2,595,053.00	2,595,053.00
Mississippi.....		908,680.29	2,062,240.60
Alabama.....		2,288,138.50	3,153,130.00
Missouri.....		1,815,435.00	2,162,442.21
Arkansas.....		1,793,167.10	2,149,239.63
Iowa.....		2,770,702.26	6,751,207.98
Florida.....		1,760,468.39	2,360,114.00
Michigan.....		2,669,327.04	4,796,730.90
Louisiana.....		1,072,405.45	1,578,720.00
Wisconsin.....		1,379,545.35	4,138,360.50
Minnesota.....		1,580,608.82	6,498,403.09
Kansas.....			2,500,000.00
Corporations—Pacific railroads.....		20,633,531.20	40,745,631.40
Wagon roads—Wisconsin.....	450,000.00		82,360,000.00
Michigan.....	1,718,613.27		
Oregon.....	72,960.00		2,241,573.27
Total.....	2,241,573.27	20,633,531.20	125,347,204.67

GENERAL LAND OFFICE, September 30, 1865.







REPORT

OF THE

COMMISSIONER OF INDIAN AFFAIRS.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, Washington, D. C., October 31, 1865.

SIR: Having assumed the duties of Commissioner of Indian Affairs after the beginning of the third quarter of the year over which this annual report extends, and having been necessarily absent a great portion of the time since, upon public business in the southwest, I have been unable to obtain that familiarity with the details of business, or to gain that acquaintance with the condition of Indian affairs generally, which a longer time would have allowed. I present herewith a summary of such information in regard to the interesting people who are by law placed under the charge of this office as I have been able to obtain from the current correspondence and annual reports of superintendents and agents, and other employes.

Before proceeding to refer to the various superintendencies and agencies in detail, and to make such suggestions as seem to be called for in reference to each, there are sundry matters of common interest to the whole Indian service, or relating to several agencies combined, which I deem worthy of special notice.

First among these is the neglect on the part of many of the officers responsible to this office to forward their monthly, quarterly, and annual reports at the proper time, in disregard of repeated directions from the office. Some of them appear to have imagined that circulars of instructions were mere matters of form, with which a compliance was not expected, or as applying to everybody but themselves. Nor are they sufficiently careful to make these reports complete in detail, as required, where they *are* made. The consequence is that each year, notwithstanding every endeavor on the part of this office, its annual report fails of completeness somewhere, by the neglect of its subordinates; and its statistical tables do not give that fulness of information for which they are designed. I confess that I do not know of any way to remedy this difficulty except by reporting to the department each case of delinquency, and relying upon it to seek a remedy by a change of officers. It is an injustice to those who are prompt and thorough in their reports to allow them to fail of usefulness because the reports of others, necessary to completeness, are not sent, or are deficient in essential particulars.

It has been customary, I have learned, for agents who are superseded by others to take away from the agency the papers and books properly belonging there, thus removing the history of the past transactions, and preventing their successors from explaining matters which must be, and often are, necessarily referred to them. I have endeavored to correct this evil by a circular requiring all agents to preserve and leave as public property duplicate copies of all important papers and vouchers, &c., as well as a complete daily record of all agency transactions; and shall observe as a rule of action by this office the suspension of the accounts of all retiring agents who, after knowledge of the circular above referred to, shall fail to show that they have passed over to their successors the books and papers of the agency.

To the subject of traders' licenses, circumstances have caused me to pay special attention, and I have come to the conclusion that a radical change in either principle or practice, perhaps both, is necessary. I suppose that I am not making a remark which will startle the department by its novelty, when I suggest that there is reason to believe that agents are too often in some manner interested with or for the traders. Certainly there can be no doubt that if such combination of interests should exist, it can only exist to the injury of the interests of the Indians, and consequently of the government. It is not uncommon to hear the apparent rapidly increasing wealth of employes of, or officers subordinate to, this office, spoken of as a reproach to the service. I have no idea of undertaking a Quixotic attempt to correct the manners or morals of public officers; but in this particular matter I have been led to believe that an improvement can be effected, partly by the adoption and enforcement of new and stringent rules by the department, and partly by the aid of congressional enactments. I presume that the presence of traders upon most of the reservations, under proper guards and restrictions, is a benefit to the Indians, enabling them to obtain, in exchange for their furs and other articles furnished by them, such things as they need for their comfort, and I propose to continue to grant licenses to traders as heretofore; but, with your concurrence, to annex such conditions to the approval as will compel them to an exchange with the Indians at fair prices, to be established from time to time, according to circumstances. This has already been done in several cases by your direction, and I propose to make the rule a general one. I have also issued an order or circular requiring hereafter the agent or superintendent who approves a license (in analogy to the law requiring such certificate on all contracts made by them) to make the following affidavit on every license which they may approve, to wit:

"I, (name of agent,) United States Indian agent for the (name of tribe) Indians, do solemnly swear (or affirm) (or where there are no magistrates accessible, certify on honor) that the license hereto annexed and granted by me has been granted without any agreement or understanding with the party so licensed, or any other person or persons on behalf of the party so licensed, for any benefit or advantage to myself, directly or indirectly, present or future, nor to any person or persons on my behalf, in any manner whatever; and that no arrangement for such benefit to myself or other person on my behalf is in contemplation in case this license shall be approved."

With a view to the correction of such wrongs as may exist, and the prevention of others in future, in relation to a combination of interests between agents and traders or contractors, I suggest an application to Congress for the passage of a law which shall make it a penal offence for any agent or other officer in the Indian service to be in any manner, directly or indirectly, interested in the profits of the business of any trader, or in any contract for the purchase of goods, or in any trade with the Indians, at their own or any other agency; the same penalties to apply to the licensing of any relative to trade, or to purchasing goods or provisions for the use of the Indians of any firm in which they or any relative may be partners or in any way interested. I do not desire to push legislation to a point where it cannot be enforced, but I think that in this matter the most stringent measures are necessary.

In connexion with this subject, I feel called upon to suggest that, in order to obtain the services of a class of men who may be expected to keep aloof from the reprehensible conduct which appears to call for such legislation as is above suggested, there should be an increase of salary provided for the agents. Fifteen hundred dollars per annum is now the established rate of pay, whatever may be their duties or responsibilities, the amount of their bonds varying with the amount of money annually placed in their hands. The fact that innumerable applicants stand ready to take any places which are vacated is not, in my judgment, an argument against an increase of pay; it is simply a proof of the

commonly received idea of the outside profit of the business. As we propose to cut off this profit, it is but just that we give to the thoroughly qualified and honest guardian of the interests of the Indians, who is willing to leave the comforts of civilized society and devote himself conscientiously to his work, a compensation which shall be adequate to the service which we expect from him. For similar reasons, I make the same recommendation as to increase of pay of superintendents, with gradations, &c. There might reasonably be a gradation in the salaries of the agents, those who have the greater responsibility and labor receiving the greater compensation. I submit the subject for your consideration. I also take this opportunity to suggest that the labor and responsibility necessarily devolved upon the office of Commissioner of Indian Affairs are, in extent and importance, second to those of no other bureau in the several departments of the government; and while several of the heads of bureaus organized since that of Indian Affairs have been provided with salaries in some degree commensurate with their responsibilities and with the enormous cost of living at the seat of government, the salary attached to this bureau remains still inadequate to what I can but deem its just demands.

Should you concur with me in this view of the subject, I recommend that application be made to Congress for such increase of the salary of this office as will at least place it upon an equality with other bureaus requiring no more responsibility or labor.

The question of the reorganization of the working force of this office was brought to the attention of the department in the last annual report, and a special report, with a rough draught of a bill containing the proposed changes and additions, was subsequently prepared, and, with some modifications, submitted by your predecessor to the finance committee of the Senate, but no action was taken upon the proposition. I beg leave to renew the recommendation referred to, deeming it of essential importance to the efficiency of the bureau, and will submit a special report, with my views of the changes and additions required.

Questions of much importance to some of the tribes in Kansas have arisen, and are likely to arise in the case of others, as to the right of the State authorities to tax the lands of such Indians as have taken their lands in severalty and hold them by patent from the United States. A case in relation to the Miami Indians of Kansas has recently been decided by the supreme court of that State in favor of the right of the State to tax the lands, although the Indians still reside upon lands reserved to them by treaty. Measures have been taken to obtain the opinion of the Attorney General upon the subject, and it is confidently expected that the right of the Indians to be exempt from taxation until they shall assume the duties and privileges of citizens will be vindicated.

The supply of copies of the laws and regulations governing the Indian service is exhausted, and as the lapse of time has developed the necessity of some changes in these matters, and as there is a sufficient fund appropriated by Congress for the purpose, I propose to have the code of regulations revised for publication, so that the new appointees of the department may be supplied.

In regard to the subject of education, inasmuch as experience has developed the fact that, in the majority of cases, manual labor schools for the Indians are productive of greater benefit to them than day schools, for the reason that in the former a more constant and thorough control of the pupils can be obtained, and they can be instructed and practiced in habits of industry useful to both males and females, I propose to aid in the establishment and support of these schools so far as the funds appropriated, under treaty stipulations or otherwise, at the disposal of the department, will allow.

Some years since an application was made to Congress for an appropriation, to be placed at the disposal of the Department of the Interior, to provide for such expenditures as might be necessary to obtain and preserve in the department such memorials of the Indians, whether portraits, implements of industry

or of warfare, specimens of apparel, &c., as would be valuable for preservation. I beg leave to call your attention again to the subject. The Indian race, by what seems to be the law of its existence, is fast passing away, and in contact with the white race the tribes are rapidly losing their distinctive features, in language, habits, customs, &c. A moderate appropriation, judiciously expended, would enable the office, through its agents, teachers, missionaries, and others interested in the various tribes of red men, to collect annually a large and increasingly valuable collection of the memorials referred to.

It is gratifying to notice, in the examination of a number of the annual reports of the agents, an increased willingness on the part of the Indians to labor, and a greater number of cases where they are employed and paid regular wages upon the reservations. Instructions have been forwarded to give them the preference in all cases where they are willing to work.

Another evidence of progress in the right direction is the request made by several agents, on behalf of the Indians, that the kind of goods furnished to them may be changed from the blankets, bright-colored cloths, and various gewgaws, which have from time immemorial gone to make up invoices of Indian goods, to substantial garments, improved agricultural implements, &c. Of course this office will take pleasure in responding to all such demands.

Particular reference to the subject of the rights and interests of the orphan children of the Miamies is made in connexion with that agency, but the principle in question touches a number of other tribes. I am fully convinced of the duty, on the part of this office, of the adoption of some policy which will sufficiently protect the interests of such orphans, in securing their education, their rights to the lands intended for them, and to their annuities, which last I propose to retain and invest for them, unless some better plan can be devised after receiving the report of Superintendent Murphy, to whom the subject has been referred.

The subject of control by the agents over the missionaries who labor among the Indians has presented itself in the case of the Catholic priest among the Menomonees, which is fully detailed in Agent Davis's report. The influence of the priest at that agency over the Catholic portion of the tribe appears to have been very objectionable; and, in the matter of his conduct at the time of the prevalence of the small-pox among them quite outrageous, and the agent's course in excluding him from the reservation was fully approved. Fortunately, such complaints are very rare, and I trust this case may have no parallel elsewhere. The same priest is charged by the agent with obtaining or endeavoring to obtain from the relatives of deceased Indian soldiers, of whom there have been many among the Menomonees, a large share of their arrears of pay and bounty, to pay for masses for the souls of the deceased. At the hazard of being charged with interfering with matters of religion, I have, by special report upon this subject, taken steps to prevent the consummation of this wrong, by having these payments made through this office.

Some action is necessary on the part of Congress to provide a remedy, by a revision of the list of authorized Indian agencies, for the confusion which has gradually arisen out of the division of the old established Territories. The case of Washington, Idaho and Montana is in point, where, out of the number originally provided for Washington Territory, two are now on duty in Idaho and Montana, while one is assigned to duty in Oregon; and lately an agent was appointed, under a commission for Indians in Idaho, to take charge of the Flatheads in Montana, and who must be paid from the appropriation for Washington, to which superintendency the Flatheads originally belonged. Several other changes will doubtless be found necessary on the receipt of the reports of the commissions now engaged in making treaties with various tribes, the final adjustment of matters with the southern Indians, and the ratification of certain other treaties which will probably be laid before you during the approaching session of Con-

gress. A special report on this subject will be presented when the required data reach this office.

During the past summer there has occurred much correspondence with the military authorities in command in the west, with most of which this office has become acquainted through copies furnished by your department, and instructions have been forwarded to the various superintendents and agents by your direction, requiring them to observe carefully the policy adopted, which may be briefly stated thus: that where Indians are hostile, the civil authority is to be held in abeyance until the measures taken by the military authorities for quelling the outbreak have been concluded; that where the Indians are generally quiet and peaceable, but require prompt action to quell disorders among themselves, or to prevent unlawful interference of white persons with them, the military are to render assistance when appealed to by the agents; and at all other times the military are not to interfere with the civil control of the Indians. Such a policy as is above indicated is the plain dictate of common sense, and if all officers will but exercise it, there need be no difficulty. Upon some points, however, there may be a variance of opinion, which must be settled by superior authority; as, for instance, the question as to when military force is to commence its operations and take the complete control, when the civil agents are of opinion that *peaceable* measures will prevent bloodshed; and, again, as to where, short of extermination, the exercise of military authority is to stop, when the civil authorities have reason to believe that the hostile parties are sufficiently punished. No such difficulty has as yet arisen, and a frank and candid interchange of views on such points will, I am confident, continue the present harmony of action, and there is no reason to apprehend any other course from the distinguished officers in high command in the west, with all of whom the relations of this office have been most cordial and pleasant, though some of their subordinates, in cases which have been from time to time laid before you, have doubtless exceeded their authority and caused some trouble.

Several important treaties have been transmitted to your department from this office during the past year, which should, I think, meet with the early attention of the Senate, and the necessary appropriations be promptly made without waiting for the general appropriation bill. Among these are the treaty with the Klamath and Modoc tribes in Oregon, and those with the Omahas and Winnebagoes, all of which were transmitted to your department shortly after the adjournment of Congress. The last two, especially, require attention, in order that the measures proposed for the Indians may be put into operation at once; and indeed the other is scarcely less pressing. Besides these treaties, there is one lately forwarded, and of much importance, concluded with the Utah Indians by Superintendent Irish, extinguishing their claims to the occupancy of nearly the whole of that territory. Mr. Irish's report, sent with this treaty, is very interesting, and is presented in the accompanying documents.

There is one treaty before the Senate unconfirmed, that last made with the Nez-Perces, which should *not*, in my opinion, be confirmed, as will more particularly appear in remarks under the head of the superintendency of Idaho; circumstances in regard to the rapid settlement of that Territory having made other arrangements necessary.

The various treaties made by the several special commissions during the present autumn will also come before you for action.

For convenience of reference I recapitulate here, in brief, the various points alluded to in this report as requiring action by Congress, to wit:

Legislation with reference to a more strict control of traders, requiring them to conform to just schedules of prices in their sales to and purchases from the Indians, and providing penalties for connivance with agents.

In regard to prevention of and punishment for the connivance of agents with

traders or contractors, or the being concerned in any manner in the profits of transactions with other parties on behalf of government.

A more stringent law to prevent cattle-stealing in the Indian territory.

Increase of pay and gradation of salaries of agents, superintendents, &c.

Reorganization of the working force of this bureau, and increase of salary of the Commissioner.

Protection of Indian lands from taxation by State laws.

An appropriation for the collection and preservation of information relative to, and memorials of the various tribes of Indians.

Revision of the list of agents, and provision for new ones, where changes of boundaries or new treaty provisions require it.

Action upon the several treaties herein referred to.

Provisions for houses for agents at posts where no dwellings are now furnished for them.

Appropriation for payment to Pottawatomies, who have taken steps to become citizens, of their *pro rata* share of the funds of the tribe.

Legislation, if necessary, in the interests of the orphan children in the various tribes who receive annuities.

Provision for the purchase of land for reservations in California, and for the extinguishment of claims to improvements thereon.

The organization of a territorial government for the Indian territory, and settlement of friendly Indians therein.

Encouragement of a railroad from some point on the Missouri river to Galveston, Texas.

The special reasons assigned for the above action will be found under their proper heads in the course of this report, and the papers referred to are transmitted herewith.

I deem it unnecessary, in these general remarks, to make any particular reference to the subject of the several treaty commissions which have been or are still engaged in the duties assigned to them. Such reference as I have deemed appropriate will be found under the heads of the several superintendencies within which their sessions were appointed to be held, particularly the southern superintendency. I cannot, however, refrain from congratulating the department on the great success which is attending the efforts made to restore peace and amity between our people and these "children of the forest." It can certainly add nothing to our glory to vanquish so weak an enemy, even if there were no doubt that we were in the right; and to wage a merciless war against them, when it is doubtful who was guilty of the first wrong, is the most wanton cruelty.

What has already been accomplished is a restoration of peace with the various hostile bands of Sioux in Dakota, and with all the Indians between the Platte and the Arkansas, on the great travelled routes across the plains.

The difficulties in the former case seemed to be almost insuperable. A military campaign in the Indian country had just closed without such results as would tend to impress the Indians with our power; they were widely scattered, and being familiar with the horrible transaction at Sand creek, were naturally suspicious of our designs. But, by the latest advices, the efforts of the commission sent to treat with them seemed likely to meet with success; and such progress had been made as would undoubtedly result in peace and tranquillity in all that region.

In the latter case the difficulties were not so great, but the success has been signal. A treaty was made with such of the Cheyennes and Arapahoes as have remained south of the Platte, and they had sent their young men to convey the glad tidings to their northern brethren and induce them to come in.

The Apaches, too, had joined in the treaty with the Cheyennes and Arapahoes, and gladly accepted its terms, and the Comanches and Kiowas had made

peace and entered into a treaty. All of these tribes had accepted reservations south of the Arkansas, and far from the great thoroughfare where they had been so troublesome.

WASHINGTON TERRITORY.

The Indians of this superintendency consist of a large number of small bands, with names of infinite variety, but almost uniform uncouthness, apparently taken from the rivers, mountains, or bays where they resided. I find it impossible to ascertain the exact census of the various tribes, as the superintendent and agents appear to have systematically overlooked that essential particular in their reports. By a careful collation of former reports with those of this year, which occasionally make mention of the number of particular tribes, I have prepared the following estimate, arranged in the usual method practiced in this superintendency, of classing together the tribes who were included in the various treaties made with them by Governor Stevens :

Treaty of Point Elliot, Tulalip agency, Agent Howe : Tulalips, Skokomish, Lummi, &c. Population about 1,900.

Treaty of Point No Point, Skokomish agency, Sub-Agent Knox : Sklallams, &c., 1,500.

Treaty of Neeah bay, Makah agency, Agent Webster : Makahs, &c., 1,400.

Treaty of Medicine creek, Puyallup agency, Agent Elder : Puyallups, Nisquallys, Squaksins, and Chehalis, (the latter tribe not treated with, and in charge of same agent,) 2,000.

Treaty of Olympia, Quinaielt agency, Sub-Agent Hill : Quinaielt, Quillehutes, &c., 600.

Treaty of Fort Simcoe, Yakama agency, Agent Wilbur : Yakamas, &c., 3,000.

Besides the above, Special Agent Paige has been sent by the superintendent to look after the condition and wants of certain tribes in the northeast part of the Territory, and reports the number as follows : Spokanes 1,200, Colvilles 500, Pend d'Oreilles 800, Okinakanes 500, other small bands 400—say, 3,400 in all.

Grand total in the Territory, as estimated above, 14,800.

From the reports of Agent Howe of the Tulalip agency, and Mr. Finkbouer, the farmer in charge of the Lummi reservation, we learn that the Indians exhibit a marked improvement in some respects ; have been quiet, and somewhat industrious, successful in their crops, and have added twenty-five houses for their comfort. The school, long under the charge of the devoted Father Chirouse, has produced good results ; but he pleads for means to provide better accommodations, subsistence, and clothing, so that the school may be of more service. The superintendent estimates that \$5,000 would be sufficient for these purposes, and I refer to the report of this earnest laborer for the welfare of the Indians for the good reasons given for his request. The superintendent thinks that a competent miller should be employed to keep the saw-mill running, so as to furnish lumber for houses for the Indians. He also suggests the necessity of a definite survey and location of the lines of the reservation.

From Sub-Agent Knox, in charge of the Skokomish reservation, we get accounts of but little improvement by the Indians, who seem to be in bad health, owing to the effects of whiskey, which is furnished them in spite of all precautions. Still, something has been done, against great obstacles, in clearing up a farm, setting out orchards, &c. The Sklallam Indians refuse to live on the reservations, but the Skokomish do, and will improve when sufficient land is cleared of its heavy timber for their use. There is no school on the reservation, and the superintendent states that, deeming the amount provided so small that its expenditure for the purpose would avail nothing, he has retained

it for the present, unexpended, to be used when the condition of things at the agency shall be better prepared for its profitable use.

Agent Webster has charge of the tribes parties to the treaty of Neeah bay his labors being principally confined to the Makahs, numbering 615, in regard to whom his report is quite full. These Indians have seventy-three frame and plank houses, and raised a good crop of potatoes last year, besides obtaining and curing one hundred tons of fish, ten tons of which they sold for \$1,000. The farming operations at this agency are limited, very little land being cleared, the Indians preferring to fish in the convenient waters of Puget sound, to devoting themselves to agricultural pursuits. The agent, therefore, recommends that a change of policy be adopted towards them, and that they be encouraged to enter into the business of fishing as a means of livelihood. He thinks that, by furnishing them with a small schooner, of forty or fifty tons, they could do a successful business in catching and curing for market the fish which abound in the wide straits of Fuca and in the waters of the Pacific, near Cape Flattery. In regard to the school, the building for which is, according to Superintendent Waterman's report, sufficient to accommodate two hundred children in a thriving New England town, it appears to have been, thus far, of very small avail in the education of the children, who cannot be induced to attend in any considerable number, or with any degree of regularity. The teacher, however, appears devoted to his work, and indefatigable in his efforts to induce the children to come in, and writes hopefully that some good will soon be accomplished. The agent thinks that injustice has been done in not forwarding for the use of the Indians the funds for farming purposes; but this complaint, unless it refers to the inadequacy of the appropriation, seems to be unfounded.

Agent Elder's report as to the Puyallup agency, comprising several tribes and reservations, is favorable on the whole, and he represents the people, under the improved state of things which he has inaugurated, as more prosperous than ever before. The Puyallups, besides subsisting themselves, have sold produce to the amount of over \$6,000. From the agent's report it would appear that eleven years of the treaty payments have passed with but little benefit to the Indians. Under present regulations, and with a class of employes more faithful to their duties, he hopes that the remaining nine years will witness such improvement that the Indians will in that time be abundantly capable of caring for themselves. To this end he is causing the Indians to be taught mechanical arts, and finds them apt to learn.

The Chehalis Indians, numbering about 600, are under charge of this agency. No treaty has ever been made with them, but a portion of them have been concentrated upon a small but fertile reservation reserved from sale by the General Land Office, and are doing well. These Indians are industrious, and are raising an ample subsistence, but they fear that, having no treaty, their lands may be taken from them; and they say, too, that they cannot understand why they should not have the benefit of schools, mechanics, and other helps to civilization, as well as other Indians. I recommend that the superintendent be authorized to treat with these Indians, as I anticipate that not only will this peaceably disposed tribe be satisfied and improved thereby, but that a moderate appropriation for their benefit will have the effect of concentrating other tribes upon their reservation, to their great advantage.

Sub-agent Hill has in charge the Quinalt reservation, newly located, a change from its former location having been found necessary on account of a prevalence of poisonous plants. Slow progress is being made in clearing off the heavy timber, and not much can be done in the way of raising crops until an opening is thus made. A school is desirable, but the superintendent, with good reason, I think, deems it best to await operations in getting the Indians somewhat comfortably situated upon the reservation.

The Yakama reservation, under charge of Agent Wilbur, is an illustration of what may be done under favorable circumstances by an efficient agent, towards the real, permanent benefit of the Indians. The early history of this reservation does not indicate on the part of former employés of the government such conduct as would entitle them to a diploma for honesty and integrity, if the facts are as stated in Agent Wilbur's report; but at present the Indians appear to be making rapid progress in every essential element of civilization under the system adopted, by which every employé is conscientiously devoted to his work. The reservation is favorably situated in the southern part of the Territory, on the east side of the Cascade range of mountains, and is quite extensive, fertile, and enjoys a mild and healthy climate. Buildings of the various kinds necessary for agency purposes are provided, of good character, and the mills are kept in good repair. On the agency farm 100 acres were under cultivation, though with fears of a light crop on account of drought. Only one white farmer is employed, the compensation provided for the other being used in hiring Indian labor. The school farm has eighty acres under fence, and thirty acres cultivated by the Indian boys and young men of the school; the total average attendance at the school being twenty-nine, male and female. Particular attention is paid to teaching the boys trades, and the girls the arts of housewifery, and to such advantage that the results of their labor in the manufacture of shoes, harness, clothing, &c., and in the sale of farm produce, has amounted to over \$1,500, besides their own subsistence. Besides this, the Indians themselves cultivate over two thousand acres of land, and are becoming independent in every respect. It is as gratifying as it is uncommon to be able to record thus the complete success of an Indian agency, where every feature of its annual report is favorable, no complaints are made, and no changes asked for.

In reference to the remaining Indians of the Territory who have heretofore been under the general charge of the commanding officer at Fort Colville, in the northeast, but to whom Mr. George Paige was sent as special agent, some general information is given in Mr. Paige's report. The Spokanes are the most important tribe, as well in number as in character. Their chiefs speak English well, and the people raise very fair crops here and there, but spend much of their time in fishing. They are a self-sustaining people, jealous of their rights, and for the most part disinclined to any treaty involving a relinquishment of territorial rights. Their country, however, is being traversed by the inevitable gold-seekers, and unpleasant collisions, arising from the reckless and unscrupulous manner in which the property and rights of Indians are trampled upon by the whites will doubtless compel a resort to the usual plan of reservation and concentration. The Indians about Fort Colville are well disposed and quite intelligent, and there is a good account also of the Pend d'Oreilles, west of the Bitter Root mountains; but the Okinakanes are represented as a vagabond, thieving race, living partly across the British line, and making much trouble by robbing settlers or travellers, and then escaping across the border with their plunder.

OREGON.

The annual summary from this important superintendency did not reach this office until the moment of closing this report, and too late to allow of any digest being made of its contents. It will be found, with the reports of the several agents, in an appendix to the accompanying documents.

We have at hand no accurate statistics of the present population of the Indians of Oregon. There are four agents and two sub-agents in service in the State, having charge of the Indians gathered upon several reservations, to wit:

Umatilla reservation, in northeast Oregon; agent, Barnhart; the Cayuses, Walla-wallas, and other small tribes; total number on and near the reservation,

as reported last year, 1,021. Owing to the inadequate number of agents provided for Oregon, Agent Barnhart, appointed for Washington Territory, is assigned to duty at this agency.

Warm Springs reservation, in the northern part of the State; agent, Logan, (recently deceased;) the Wascoes and others, 1,066.

Grande Ronde reservation, in the northwest; agent, Harvey; having in charge fragments of numerous tribes or bands, estimated a year ago at 2,300.

Siletz agency, and Alsea sub-agency, along the Pacific coast, in charge of Agent Simpson and Sub-agent Collins, and numbering at the last accounts about 2,800 in all.

Klamaths and Modocs, under charge of Sub-agent Applegate; a treaty having been made with them last year, but which has not yet been acted upon by the Senate. This proposed reservation is in the southern part of the State, near the California line; they number about 2,000.

Besides the above, there are tribes of Snakes or Shoshonees in the southeast, with whom a treaty has recently been made, and other tribes of various names, supposed to number about 1,000 in all.

In relation to affairs in Oregon, two important reports have reached this office since its last annual report, in reference to which allusion should be made. Under date of June 22, 1864, instructions were sent to Superintendent Huntington to proceed to the negotiation of a treaty with the Klamaths, Modocs, Snakes, &c., in the southern part of the State, and the sum of \$10,000, being one-half of an appropriation made by Congress for the purpose, was placed at his disposal. On being advised by the superintendent that all of the tribes referred to could not be comprised in one treaty arrangement, he was directed to proceed with the Klamaths and Modocs alone, and the balance of the appropriation was sent to him to use in his negotiations with the other tribes. The treaty with the Klamaths, &c., reached this office too late for action by the Senate last winter, having been transmitted to your department February 24. By it the Indians cede their claims to about twelve million acres of land, and concentrate upon a reservation of moderate but sufficient extent. This treaty, as will be seen by Superintendent Huntington's report, has been negotiated at a very small expense, and much below the amount placed at his disposal. Its provisions are regarded as very favorable to the United States, and the appropriations required being small, it is hoped that the treaty will be ratified, and the means of carrying it into effect provided at an early day; at all events, in time for spring operations on the reservation.

In regard to the treaty with the Snake Indians, full particulars will be found in the superintendent's annual report in an appendix to the accompanying documents.

The other subject referred to above is that of providing a small appropriation to enable the superintendent to make a treaty with the Indians comprised within the Siletz agency and Alsea sub-agency along the Pacific coast. Some years ago a treaty was made with these Indians, by which they agreed to cede a large body of land under certain conditions. They did give up the possession of their lands, and retired within limited boundaries at two points of their old country, where they have received from time to time some assistance from government. But the treaty referred to was never ratified by the Senate, though the Indians fulfilled *their* promises strictly. It now appears that it is important to the interests of the white population, while it will be no prejudice to the Indians, that the former should obtain access to, and possession of, the country about the Yaquina bay and river, where there is a good harbor and site for a commercial town; it and the neighboring region being comprised within the Alsea sub-agency. A very full report from the superintendent, submitted herewith, proposes to make a treaty with the Indians referred to, under which the four tribes about Yaquina bay will be concentrated at a point further north, and

thus leave the coveted territory open to settlement. Under this arrangement, one sub-agency would be dispensed with. The estimated expense of the removal of these Indians is given by the superintendent at \$16,500; and he suggests that the town site at Yaquina bay would, at public sale, more than reimburse the government for the outlay. I suggest the policy of early action upon this subject.

CALIFORNIA.

Under date of April 1, 1865, a report from late Superintendent Wiley furnished this office with information of the general condition of the Indians upon the reservations, and of the progress thus far made in the reorganization of Indian affairs in California under the law of 1864. At that time it was expected that a very large surplus of grain and vegetables would be raised upon the reservations; but, as will be seen by the report of Superintendent Maltby, who succeeded Mr. Wiley about the first of May, those expectations have not been realized. Before Mr. Wiley retired, however, he was able to report many changes for the better in the condition of affairs. Up to the date of the report above referred to, but two of the four reservations to which the act of Congress limits the superintendency had been definitely settled upon, being those at Round Valley and Hoopa valley.

It was intended to remove the Indians from the Smith River reservation, and place them at the old Klamath reservation, still owned by government, but to place the occupants under the charge of an employé of the Hoopa valley agency. No definite suggestions were made as to the selection of the other two permanent reservations.

By the annual report of Superintendent Maltby, of recent date, we obtain quite full information of the condition of affairs in California, the superintendent having but lately completed an extensive tour of observation, made in company with Hon. Mr. Higby, one of the congressional Committee of Investigation. In regard to the disposition of the Indians upon the reservations, they are said to be everywhere well disposed and peaceable, and willing to labor for their own support; and many who have not hitherto come under the care of the agents are seeking permission to come in and share the labors and benefits of the policy adopted upon the several agency farms. The superintendent represents them as very destitute of clothing, supplies of which must be purchased for them, until such time as they can raise a surplus of produce to be disposed of. The additional numbers coming in every year to the reservations will probably postpone all sales of surplus produce indefinitely, as the new comers must be supported till they can raise a crop.

Superintendent Maltby desires to discontinue, as soon as practicable, the system, still to some extent practiced, of renting lands for Indian reservations. In this desire I readily concur, and it is hoped that such practice will soon cease, either by adopting the suggestions of the superintendent's report, which proposes to purchase the necessary lands at a fair appraisement, or by removing the Indians to lands already owned by the government.

There are no schools upon any of the reservations in California, and the suggestion of Superintendent Maltby, that Congress be requested to make provision for at least one good school upon each reservation, meets with my hearty concurrence, and I trust that this small chance of intellectual life may be vouchsafed to the poor remnant of the tribes who once occupied as their own a country so prolific of wealth, and who have been compelled to yield possession without any stipulations for their benefit.

The four agencies referred to in the annual report are those of *Round valley*, in northeastern California, *Hoopa valley* and *Smith river*, in the northern part of the State, *west* of the mountains, and *Tule river*, in the extreme south, *east* of the mountains.

Round valley comprises a tract of about 25,000 acres, containing land of remarkable fertility, both as to the arable and pasture land. Under the charge of Agent Fairchild, the measures taken for the care and support of the Indians at this point have been carried on with energy, and 2,700 acres have been enclosed with a good fence, while preparations are far advanced towards the fencing of 3,000 acres more. Over 1,000 acres have been under cultivation this year; but the crops are light as to all kinds of grain, though vegetables were plentiful. The occupants of this reservation comprise the following Indians: Pitt Rivers 320, Wylackies 80, Ukies 300, Onocows 240, making an aggregate of 940; to which would be added immediately 370 of the Indians who have been kept at Humboldt bay, under charge of the military; the remaining 400 of those prisoners being at the old Mendocino reservation, at present under the charge of an employé from Round valley. The agent also expects to receive some 800 of the Clear Lake, Ukiah and Redwood bands, who have expressed a desire to come into the valley, and thinks there will be no difficulty in subsisting all of them. The superintendent has terminated a lease of certain lands which were no longer needed, and which was costing the government \$3,350 per annum. He recommends the purchase of the improvements of the white settlers remaining in the valley, but gives no estimate of the cost of such purchase.

Hoopa valley was selected last fall by late Superintendent Wiley as a reservation, and possession taken under an arrangement with the settlers that their improvements should be purchased. Upon his suggestion that these improvements would not cost more than \$60,000, an appropriation of that amount was made by Congress, and a board of appraisers designated. An appraisal made under directions from this office, by parties represented to be disinterested, was already in progress, and their report reached this office before the instructions under the act of Congress were sent out. It made the valuation over \$116,000, besides a large quantity of agricultural implements, amounting to over \$8,000. The appraisal by the *new* board has just reached the office, and is within the amount appropriated for the improvements, while the valuation of the implements is about \$4,260 in coin. Upon the payment of the amounts so returned, the reservation will be entirely in the hands of government, and all white persons excluded, except the necessary employés.

Superintendent Maltby does not represent the capacity of the reservation for sustaining a large number of Indians in as favorable terms as his predecessor. There are now 600 upon it, under charge of Agent Stockton, and 1,500 Klamaths are expected, this being, as now stated, about the capacity of the reservation.

No trouble is found in getting all the necessary labor from the Indians, an overseer only being needed to direct them. Much expense for transportation of supplies is necessarily incurred until sufficient crops can be raised to subsist the Indians.

Smith River reservation is upon the coast, and consists of one farm of 1,200 acres, besides adjoining lands, rented at a cost of \$1,948 in gold per year. Upon it are 700 Humboldt and Wylackie Indians, quietly and industriously occupied; and they have raised this year an abundance for their subsistence. The superintendent recommends the purchase of these lands, and more in the vicinity, if necessary, as he thinks the cost of removing the Indians and putting up the necessary buildings at any other point would greatly exceed the cost of such purchase. He will be called upon for an estimate of the cost of the land referred to, as well as of the remaining improvements in Round valley. The Tule river farm, in the southern part of the State, under the charge of Agent Hoffman, contains 1,280 acres, and is also rented at \$1,000 a year. There are upon it 800 Owen's river and Tule river Indians, who, though the crops were light, have raised enough to subsist them. The superintendent makes the same recommendation as to purchase of this farm as in the case of Smith river, and

thinks that sufficient land can be had at fair rates in the vicinity for other southern bands who will soon have to be brought upon reservations.

With Superintendent Maltby's report he has forwarded the statements of two special agents sent by his predecessor last spring, with instructions to visit and inquire into the condition of, and furnish seeds and a supply of implements to, the Mission Indians, located in small settlements near the southern line of the State, from Los Angeles to San Diego. These reports are full of interest, and the visit appears to have been of benefit to the Indians. Unscrupulous white men seem to be interfering with their rights in a very unjustifiable manner, and it was time that protection was extended to them.

The total number of Indians upon the reservations named above is, by the superintendent's report, 3,860; while he estimates the whole number in the State not on reservations, and including the Mission Indians, (who live upon and cultivate their own lands,) at 30,000, which is much beyond any other late estimates of the population of the California tribes.

ARIZONA.

After the resignation of Superintendent Poston, on the occasion of his election as a delegate to Congress last year, he left Mr. G. W. Leihy, whom he had designated as assistant superintendent, in charge of Indian affairs in Arizona, and Mr. Leihy was subsequently appointed superintendent. His annual report did not reach this office in time for notice in this report, but will be found in the appendix; but by a letter received, under date of September 27, he gives some important information in regard to the tribes on and near the Colorado river. The letter, which came too late for further notice, is among the papers submitted herewith.

From Mr. J. C. Dunn, who was among the persons appointed by Mr. Poston as agents, as referred to in the last annual report from this office, advices were received during the last summer of hostilities having broken out among the Indians along the Colorado river, but no details have been forwarded. Mr. Davidson, who was designated by late Superintendent Poston as agent for the Papagos Indians, in the southwest part of the Territory, has furnished much valuable information in regard to that interesting and thoroughly loyal people. In order to place in permanent form such information as to the character, history, and traditions of the Indian tribes as can be obtained, I have included Mr. Davidson's report among the papers to be published with this report. The Papagos occupy villages and the adjacent country, in the southwest portion of Arizona, having for their centre and most important point the old mission church of San Xavier del Bac, and number some 5,000 souls. The Pimos and Maricopas (confederated) are an independent and industrious people, living further to the north and west, and number, according to late Superintendent Poston, some 7,500. Over these two tribes Mr. Davidson was, on the occasion of his late visit to the east, and after your conference with him, appointed by the department as a special agent, and furnished with such portion of funds from the appropriation for Arizona as was deemed applicable to the Indians assigned to his agency, which also includes the Tame Apaches, a small number of well-disposed persons of the extensive tribe which causes so much trouble in that region.

The Papagos have from time to time furnished soldiers to aid the whites against the inroads of the Apaches, and have been very efficient.

Their friendship has been fully recognized, and it is hoped that, under the teacher to be provided, and by means of the agricultural implements and other really valuable articles to be furnished them, they will make rapid improvement in civilization. Indeed, from the accounts received from Agent Davidson they

appear to be even now fully equal to the ordinary Mexican population of the country in all the elements required to make good citizens.

Of the Cocopas, who live near the mouth of the Colorado river, upon Mexican territory; the Yumas, numbering some 1,500, living further north, along the same river; and the Mojaves, Yavapais, Hualopais, and Chemihuevis, who number about 8,000, and live near the Colorado river, between Fort Yuma and Fort Mojave, we have literally nothing during the last year. Whether or not they have been engaged in the hostilities referred to above is not known; but the probability is that the war party was composed of a band known as Apache-Mojaves, neither belonging to the one tribe nor the other, but vagabonds from both. Still, it would appear from Mr. Dunn's letter that the whites were the aggressors; and this may be laid down as a general rule in regard to the Indians of the western slope, that unless provoked by wanton outrage, or driven by starvation to plunder, they are a quiet and peaceable people. Nothing has been done in regard to the proposed reservation lying between Corner Rock and Halfway Bend, on the Colorado, which was authorized by act of Congress last winter. The reservation, it is understood, can only be made available for the Indians by an extensive irrigating canal, estimated to cost some \$100,000 in currency, for which Congress made no appropriation.

Besides the tribes above mentioned, there are in Arizona a large number of Apaches, roughly estimated at 4,000, and the Moquis, who are village Indians, living in a half civilized state, in the northeastern part of the Territory. Some account of these interesting villagers was given in the report of last year from this office, but no agent of the government has visited them. They are allied by language to the Pueblos, of New Mexico, and having suffered greatly from starvation, a delegation visited the nearest Pueblos last winter, having travelled hundreds of miles to obtain relief, which was given to them by Agent John Ward, as stated in his report upon the subject.

If it proves, upon examination, to be impracticable to attach this people to any of the Arizona agencies, measures will be taken to supply their moderate wants from New Mexico, if Congress will provide the means, though it seems doubtful whether the dry plains upon which they live will long sustain them. The want of water for crops and stock is the principal difficulty, and to the gradual drying up of the streams and decreasing average of moisture is ascribed by many the gradual diminution of the population of this whole region, which, as is evident from the many remains of extensive buildings and settlements, once teemed with busy life.

The Pai-Utes extend their range into northern Arizona, but are mostly in Nevada since the change of the boundary of that Territory one degree to the eastward. It is very much to be regretted that goods sent for the Arizona Indians from New York as long ago as the early fall of 1864 had not at last accounts reached their destination. They have travelled to San Francisco, thence down the coast again, and up the California Gulf to Guaymas, where it was found impossible to land them, owing to the French siege then in progress. At last accounts, I understand that the goods have gone back to San Francisco upon a United States vessel, and will probably be found there by Mr. Davidson, who has recently returned to his post.

A recent communication received from Mr. H. Ehrenberg, who was for some time acting as Indian agent in Arizona, submits certain plans for the benefit of the Indians. It will be seen that he opposes, for reasons given, the project of a reservation for the Indians along the Colorado river.

NEVADA.

Indian affairs in Nevada, or rather our advices in regard to them, have been and are in a very unsatisfactory condition.

Since the last annual report of Governor Nye, ex-officio superintendent, we are almost without a word of information in regard to the condition of the Indians of that State. It was not until July last a superintendent was appointed, and the appointee, Hubbard G. Parker, esq., did not enter upon his duties until September. The goods for the Nevada Indians were forwarded last spring, with the expectation that they would be taken in charge and distributed by Agent Lockhart, who was at Carson City, to which place they were shipped. The appearance in this city of Agent Lockhart in June, and his subsequent resignation, disappointed this hope; for Mr. Burch, the local agent at Ruby valley, had also left his post, or resigned, and no person was left in Nevada to attend to Indian affairs. Senator Nye, who, as governor and superintendent ex-officio, had been very successful in his administration of Indian affairs, was appealed to to assist, so far as he could make it convenient, in regard to several matters of importance; and, although no advices have been received, I entertain some confidence that the interests of the service have not seriously suffered. There has been, from the first, very little difficulty with the Indians of Nevada, partly because they are a very peaceable people, and partly because of the judicious course taken by Governor Nye in establishing efficient special agencies to look after them, and prevent difficulties and disturbances, rather than to await their occurrence.

Agent Lockhart had general charge of the Indians, branches of the Pai-utes, and a portion of them known as the Carson valley Indians, who had reservations surveyed in the western part of Nevada, including Walker lake and Pyramid lake; and a smaller reservation for a farm and mill and timber had been selected on the Truckee river. Last year the necessary expenditures for this mill and for an irrigating ditch for the farm had been made, but the failure of water in the river disappointed for a time the hopes raised as to both mill and farm.

I cannot dismiss with this brief reference the subject of this mill and reservation. The reservation was selected with a view to give the Indians a home, and to furnish, in its very valuable timber, stock for the costly mill to be erected upon it. To justify such a cost (about \$25,000, including stock of logs already cut) it was undoubtedly contemplated that, beyond the very moderate wants of the Indians in the way of lumber for houses, sales of lumber to a large amount were to be made for the benefit of the Indians of the agency. I know not what other object there could have been for either reservation or mill.

From papers in this office, both original and copies from the files of the department proper, it appears that, under date of March 31, 1865, a letter of instructions was given by your predecessor to Clark W. Thompson, then superintendent of Indian affairs for the northern superintendency, to sell this mill in Nevada; a blank contract for the sale accompanying the instructions. I refer to both of these documents as published among the papers accompanying this report. The reasons for the sale, as stated in Secretary Usher's letter, were briefly these: That the Pacific railroad would pass near the site of the mill, and make the locality unfit for an Indian reservation; and that the expense of the mill having been greater than was expected, and it being considered injurious to the Indians and the public interests to have the Indians so near to the "settlements attending the construction of the railroad," it was contemplated to reduce the reservation by about five miles, "which would make it proper and necessary to sell the mill property." A Mr. W. N. Leet was suggested as a person who would be likely to purchase the mill, and Mr. Thompson was authorized to execute a contract on the part of government with the purchaser. The contract enclosed provided for the sale of the mill, with all the logs then cut upon the reservation, and the privilege of cutting logs upon the even-numbered sections of the reservation for ten years, paying for the whole \$30,000 in lumber, delivered at the mill, at the lowest cash prices prevailing at the time of delivery, and in instalments of \$5,000 for the first year, and \$2,500 for the succeeding ten years.

This contract was executed by Mr. Thompson and Mr. Leet on the 27th day of May, 1865, and a copy, one of three originals, only reached this office from Mr. Thompson in the month of August, just before I left this city on public business. I at once disapproved the contract, and directed Mr. Leet to be informed of such disapproval. But, upon more careful examination since my return, I am satisfied that in case you concur in my views of the nature of the transaction, some active steps should be taken to prevent a gross injustice.

I cannot see, in the letter of instructions referred to, any satisfactory reasons for selling the mill. On the contrary, the fact that it had cost a great deal of money appears to me the greater reason why it should have been put at work at the earliest day possible, for the benefit of the agency, upon the large stock of logs already provided. Neither can I appreciate the reasoning in the case of the Indians referred to, (however it might apply to others,) that they should be required to remove back from the line of the railroad. On the contrary, being willing to labor, as was shown by their industry in constructing the irrigating canal referred to above, they could have secured employment for a long time upon the railroad work. The sale appears to me to amount to little more than giving Mr. Leet the mill, with timber of immense value with which to run it for ten years. But, even if it had been proper to make this sale, it seems strange that a superintendent should be sent from Minnesota, where his services were needed, to Nevada, at great expense, to effect it, when it could have been done as well by the agent at Carson City, or the superintendent of California. I confess that I am groping somewhat in the dark in considering this subject, but I am sure I cannot be wrong in checking the consummation of the project; and I have instructed the superintendent to take immediate possession of the mill and logs, and all property purporting to have been sold; and, unless otherwise directed by your department, I shall in no manner recognize this singular transaction.

Special Agent Burch, who had charge of the Humboldt and other Indians, with agency at Ruby valley, gave assurance last year, on the part of his Indians, (numbering about two thousand,) and of the Pannakies, further to the north, that they would not molest the travellers who were expected to crowd the emigrant routes from California to Idaho and Montana, and it is presumed that they have kept their promise, as no complaints have reached this office.

When Agent Lockhart was here he represented that a portion of the Carson Valley Indians, who had given up their lands without receiving any consideration therefor, and who were peaceable and industrious, obtaining their living by labor about the towns and diggings, asked that a small tract of land might be given them, upon which they might have a right to settle their families, as they had not a foot of land of which they had an unmolested occupation. This modest request was granted, and action taken by requesting Governor Nye to make the necessary selections, the department also directing the selections thus made to be respected at the district land office.

Allusion is elsewhere made to the fact that the Pai-Utes, to whom Mr. Sales was sent as special agent by Superintendent Irish, of Utah, at the instance of settlers in Meadow valley and the vicinity, were, by the placing of the boundary of Nevada one degree further east, thrown mostly into Nevada. Meadow valley is in Nevada, and is understood to be the centre of a rich mining district, where, if we are to credit the accounts given to Mr. Sales, fabulous amounts of gold and silver are to be found. By what routes the hardy and adventurous miners have found their way thither does not appear, though it was Mr. Lockhart's opinion that they had come from the northwest, by way of Esmeralda. It seemed very desirable, in order to prevent difficulty between the settlers and the Indians, that a special agency should be established at or near Meadow valley, but it was impossible to decide whether, for facility of communication, the agency should report through Utah eastward, or through Nevada, via San

Francisco. Superintendent Irish thought that it should report through him, while Mr. Lockhart thought that communication would be more certain and speedy through Esmeralda and Carson City.

Into this subject, as well as in relation to the other matters concerning Indian affairs in Nevada, Superintendent Parker has been directed to make immediate inquiry and to report as soon as possible. His report will be laid before you when received, and it can then be decided what is necessary to be done for the Indians of that State.

It has been ascertained that certain packages of goods destined for Nevada, amounting in value to about \$4,600, and which, if sent by the best route, should have reached their destination in time to be distributed to the Indians early this fall, were sent to Nebraska City for transportation overland, and by some blunder, the responsibility for which this office has not yet been able to fix, were left behind by the contractor for transportation. As soon as this fact was discovered, steps were taken to place these goods in the hands of Superintendent Murphy, of the central superintendency, and it is proposed to use them for the Indians of that or neighboring superintendencies, and make their equivalent value available for Nevada. The total population of the Indians in Nevada, aside from those whose range extends into that State, but who have been estimated in other superintendencies, is supposed to be about 8,500.

UTAH.

We obtain from the annual report of Superintendent Irish a clearer idea of the numbers, location, character, and condition of the Indians of Utah Territory than has heretofore been furnished. They may be classified as follows:

Eastern bands of *Shoshonees* and mixed bands of *Bannacks* and *Shoshonees*, numbering about 4,000, under the chief Washakee, a true friend of the whites. They range through northeastern Utah and southeastern Idaho; were parties to the treaty of July, 1863; regard the Wind River region in Idaho and the country about the upper waters of the North Platte as their residence, and desire a reservation there. Governor Lyon, of Idaho, will probably make a treaty with them for the purpose.

Northwestern Shoshonees, numbering 1,500, ranging about sundry valleys in and near the Goose Creek mountains, but being mostly in Idaho; were parties to the treaty of Box Elder of July, 1863; are poor, and suffered from hunger last winter, but kept their promises, and did not disturb the emigrant routes. The superintendent assisted them to a small extent, and secured employment for many of them as herdsmen.

Goships, (or Goshutees,) numbering about 800, ranging west of Salt lake, were parties to the treaty of Tuilla Valley of October, 1863; are very poor; and depend for subsistence upon roots and nuts, and their resources are disappearing as the white population advances. The treaty provides a yearly present of \$1,000 in goods or provisions, and the superintendent says this amount should be considerably increased.

Weber-Utes, numbering eight hundred, living in the Salt Lake, Weber, and Ogden valleys, and in the neighborhood of the towns. They are a mixture of Utes and Shoshonees, and are represented as an idle, shiftless, and vagabond tribe, giving much trouble by petty depredations.

Utahs.—These are divided into several bands, as follows:

Timpanog, a small band of three hundred, inhabiting the Utah valley and neighboring mountains.

Uintah Valley Indians, numbering three thousand, occupying northeastern Utah and the Green River country.

Pah-Van's, numbering fifteen hundred, and ranging through Pah-Vant and Sevier valleys, and west to the White mountains. A very favorable account is given of them. Their most influential chief, Konosh, has induced them to pay

attention to farming, and his good offices will be availed of to induce a more ready compliance with the policy of the department, in the removal of all the Utahs to the Uintah Valley reservation.

San Pitches, numbering about 500, and live in the San Pitch valley and along the Sevier river. They are very poor, and live upon fish, roots, nuts, &c.

Besides the above Utahs, there is a large number of Indians, estimated at 6,000, called the *Pi-Edes*, allied in language to the Utahs, but very poor, and obtaining a precarious living upon a barren region in the southern part of the Territory. They cultivate here and there a few patches of grain or vegetables, but are often reduced for subsistence even to feed on lizards, toads, and insects. The superintendent hopes to induce them to accept a better home upon the Uintah Valley reservation, as soon as the preparations at that point are sufficiently advanced.

The *Pah-Utes*, who formerly constituted a considerable portion of the Indian population of Utah, have, by the late change in the boundary between this Territory and Nevada, been thrown for the most part into that State, although they have been visited and looked after by Special Agent Sales, sent to them by Superintendent Irish, at the urgent appeal of citizens, indorsed by the late governor, Hon. J. D. Doty. In Governor Doty this office has lost an able and willing adviser and efficient aid in developing its policy and obtaining an influence over the Indians; while the latter, as well as the white settlers, have lost a true friend.

Governor Doty returned to this office, under date of 18th of November, 1864 the treaties with the northwest Shoshonees and the Shoshonee Goships, with the amendment of the Senate ratified, and those treaties have been proclaimed; but he was not able to get the northeast Shoshonees and mixed Bannacks and Shoshonees together.

Much correspondence has taken place between the superintendent and this office in relation to the proper plans to be pursued in regard to preparing the Uintah Valley reservation for a home for all the Utahs who can be induced to remove to it, but not much has been done until recently towards accomplishing the desired end. Both the superintendent and Agent Kinney presented plans for the expenditure of the appropriation for the purpose made by Congress, but both, especially the latter, contemplated the use of a considerable part of the funds in expenses of removal, or clothing, or subsistence.

As the decision of Secretary Usher was that no portion of the funds could be used for these purposes, and that they could only be used in preparing the reservation to receive the Indians, it was deemed advisable to expend the funds in such preparations no faster than there was a reasonable hope of getting the Indians to avail themselves of the advantages offered to them; the theory adopted being that after a portion of the Indians had removed to the reservation their labor could be availed of to assist those who were to follow, and thus a large expenditure for labor be saved to the government. I am now inclined to think that perhaps it would have been well to push these preparations forward more vigorously, as it would seem from Superintendent Irish's special report relative to the treaty referred to below, that the Indians show much more willingness to remove than was expected. Agent Kinney has gone upon the reservation, and a full report from him was expected, but has failed to arrive. The examination made of the Uintah valley, which is ample in extent for all of the Utahs, showed it to be abundantly fertile, well timbered and well watered, and measures have been taken to warn all white persons away from the tract reserved. The people of Utah have been anxious to obtain possession of the several small reservations heretofore withheld from sale, particularly the one at Spanish Fork, none of them being at present occupied and cultivated by or for the benefit of the Indians. The superintendent represented that, as to some of these reservations, the Indians objected to their survey and sale till they were paid for them

or provided for elsewhere; and, at all events, suggested that their consent ought first to be obtained before any survey should be made. The subject having been submitted to your department, it was determined that an attempt should be made to obtain the formal consent of all of the Utah bands, on consideration of substantial and permanent benefits to be received, to remove to the Uintah valley, and cede their right of occupancy of all other lands in the Territory. Accordingly, instructions to this end were sent to Superintendent Irish in the spring; and during the month of June he succeeded in convening the leading men of the tribes at Spanish Fork, and making a treaty which has received the assent of all the Utah bands above named, and which has been recently laid before you. The superintendent's interesting report, which accompanied the treaty, gives ground for hope that a great work is well-nigh accomplished for the Territory, in throwing its lands open to settlement, as well as for the Indians, in providing for them a comfortable home.

The treaty cedes nearly the whole of Utah Territory, excepting only the Uintah valley, and a strip along the southern end of the Territory, and if the superintendent is successful in his attempt to bring the Pi-Edes to agree to the treaty, that strip also will be ceded. It may be observed by those critical in geographical lines that the northwestern part of Utah is also covered by claims made by different bands of Shoshonees in the treaties of amity with them; but as the last-named tribes will soon be under treaty in Idaho, where they properly belong, no conflict of jurisdiction is likely to arise.

I recommend that medals and presents be given to Washakee, chief of the northeast Shoshonees, and to Konosh, chief of the Pah-Vants, as a special testimonial of appreciation by the department of their good conduct and good influence over their people. Washakee recently asked permission to take part in the campaign against the western Sioux, and this was granted, subject to the arrangements to be made with the military commander of the district of the Upper Platte.

There has been, as appears from the superintendent's report, considerable uneasy feeling among all the Utah Indians, resulting from representations made to them by disloyal whites as well as by Indians, that the white troops were not succeeding in their campaign against the Sioux, who were represented as fighting for the rights of the whole red race, and to save themselves from extermination. Still further cause of dissatisfaction occurred in the delays incident upon the delivery of the goods promised to the Indians, which delay was caused by the goods being turned back by the military officers in command along the overland route, after having been started in good season from Nebraska City; but in spite of these untoward circumstances the Indians have behaved remarkably well.

The superintendent suggests that hereafter the goods be forwarded over the plains by mule trains, instead of by oxen, so that, by being started in good season, they may with some degree of certainty be expected to arrive at their destination in time to be distributed to the Indians before they leave for their winter hunt.

NEW MEXICO.

But three of the Indian agents in New Mexico have made their annual reports this year—Agents Ward, Archuleta, and Labadi. Those of the two former are somewhat meagre. That of the latter is more full, and gives some interesting information in regard to the tribes now and heretofore under his charge; but it comes at too late a day to receive any extended notice.

It is understood that most of the agents appointed in New Mexico can neither read nor write in the English language, which may account for the slowness of some and the delinquency of others in furnishing reports. I have some information in regard to the present condition of Indian affairs in New Mexico, from the superintendent's annual report, but he states that he is obliged to present it

without assistance from the agents, although, like them, he speaks the Spanish language. In order to give an intelligible summary as to matters in this Territory, I am obliged to rely much on previous reports, and upon information obtained from the late superintendent, Dr. Steck, on his late visit to this city.

The Indians of New Mexico may be best divided into four classes, to wit:

Apaches, of which there are four divisions, the *Mescaleros* and *Mimbres*, whose range was, and for the most part still is, the southeast quarter of the Territory; the *Jicarillas*, numbering, according to Agent Labadi, 987 souls, ranging in the northeast portion—these tribes or bands, together, being estimated to number some 3,500; and the *Gila Apaches*, in southwest New Mexico, estimated at, say, 4,000 or 4,500.

Utahs, being the *Mohuaches*, a small band of some 500, who range along the north end of the Territory, partly in Colorado; and the *Capotes* and *Wannemuches*, living in the northwest, numbering some 2,500.

Pueblos, or "Village Indians," occupying some nineteen villages, scattered for a long distance along a line drawn northeast and southwest through Santa Fé, holding their lands by grants from the Spanish government, confirmed to them by the United States, and numbering about 7,000 souls.

Navajoes, taken prisoners by the military forces, and removed to the reservation at Bosque Redondo, on the Pecos river, in the eastern part of the Territory in 1863-'64, and numbering, at latest accounts, a little over 7,000; their original home being in what is now Arizona, though ranging into northwestern New Mexico.

Of the *Apaches*, my information, through Superintendent Delgado's report, is meagre. The reservation at the Bosque Redondo was (by recommendation from this office of January 14, 1864, laid before the President of the United States, and approved by him, as appears from department letter of January 16, 1864) set apart for the *Apaches*, it being intended to colonize all of the various bands of that tribe upon it; and as it was estimated to contain about 6,000 or 7,000 acres of arable land, it was deemed sufficient for the purposes. A beginning was made with a portion of the *Mescaleros*, who were represented as progressing with their agricultural operations in such a manner as to give good reason to hope that the remainder of the bands could be induced to come in. The removal of the *Navajoes* to the reservation, being old enemies of the *Apaches*, and so largely outnumbering them as to nearly monopolize the reservation, is understood to have checked the further concentration of the *Apaches* at that place, and the number upon the reservation has remained about the same as last year, the superintendent reporting it at 472. The *Jicarilla Apaches*, who are supposed to be cared for by the agency situated upon the Cimarron river, in the northeast, are represented by Agent Labadi as being further advanced in civilization than the other wild tribes, having been more in the settlements, and many of them speaking the Spanish language. From other sources they are represented as hard cases—worthless vagabonds—concerning whose improvement the superintendent suggests their removal to the Bosque Redondo, where I doubt if there is room for them, or if they could be induced to go and remain. The agent recommends that they be established on a good reservation in their own country, and says that if this were done, and some assistance afforded them by the government, they would raise good crops, establish schools, and learn to obtain an honest living.

Of the *Gila Apaches* very little is known. Some years ago they were visited, and exhibited a disposition to concentrate upon a reservation, which was at that time selected by Superintendent Steck, on the dividing line between New Mexico and Arizona, in a fertile and isolated valley, but nothing further has been done in regard to them.

In regard to the *Utahs*, the small band of *Mohuaches*, being allied to the *Tabequaches* of Colorado, should, it is thought, be turned over to that superintendency, and concentrated with them on the proposed reservation on the San Juan river,

in southwestern Colorado. They and the Jicarilla Apaches, having long been neighbors and intermarried, expressed to Agent Labadi a strong desire to continue united, which desire should certainly be gratified.

The Capotes and Wannemuches (Guiguimuches) are represented as friendly tribes of the great family of Utahs, powerful, warlike, and independent.

Agent Archuleta represents them as a wandering people, living partly by the chase, partly by the aid of government, and partly by stealing and begging; that they are utterly debased, and of the lowest grade of intelligence. They are disinclined to settle upon any reservation, and the superintendent appears to think that such concentration is unnecessary at present; and that when the progress of white population shall demand it, it can be effected without serious difficulty.

The Pueblos Indians, concerning whom an elaborate report was furnished last year by Agent Ward, showing their number in the different villages, with much other valuable information, remain in much the same condition, except that two or three of the villages or settlements have suffered greatly from drought, and from sudden overflow of streams, destroying their crops of grain and fruit, so that relief is necessary to keep them from starvation. Such directions have been given as will enable this office to know to what extent relief is necessary, and such relief will be given as the funds at hand will allow.

These Indians are a quiet agricultural people, industrious and self-sustaining, and need only, in ordinary circumstances, aid in the way of agricultural implements; but they are very desirous to have schools established among them, and this will be done as soon as it can be ascertained where, among the many villages, schools can be established to the best advantage, as it is apparent that the funds at the disposal of this office will not allow of provision for a school at each of the nineteen villages.

In regard to the Navajos, now established at the Bosque Redondo reservation, the accumulated testimony is so conflicting, derived from sources equally entitled to credit, and from persons who should have, and, so far as appears, have had but one object in view—the best interest of the government and of the Indians, that I am reluctant at present to express a decided opinion in regard to the permanent policy to be adopted. The difference is wide between the views of the late superintendent, Dr. Steck, who urged, and was supported by excellent authority in urging, that the Bosque Redondo reservation was barely sufficient for the Apaches, for whom it was set apart—that the Navajos and Apaches could not live together upon it; that the Navajos could best support themselves upon a reservation in their own country, where they had always been an agricultural and pastoral people, raising large crops, and making their own garments from the produce of their own flocks, and that the enormous expense of feeding them at the Bosque Redondo, counting by millions almost, was an unnecessary expenditure—and those of General Carleton, the military commandant of the district, who insisted that, for the sake of permanent peace, the Navajos must be taken entirely away from their own country, and that when once settled upon a reservation they would provide for their own support.

General Carleton took the responsibility of testing the question by removing the Navajos to the reservation; and this being done, they have been supported there by the War Department, with the aid of an appropriation of a comparatively small amount by Congress, placed at the disposal of the Interior Department. An attempt was made late in 1864, by sending a special agent to the Territory, to obtain such definite information as to the case as to enable Congress to act finally upon the subject, but the report of the agent did not reach this office in time for action; and, indeed, while much valuable testimony was furnished on both sides of the mooted question, and much light thrown upon both sides, it seemed as difficult as ever to make a just decision. On the whole, inasmuch as the Navajos are at the reservation, where, as appears from Superintendent Del-

gado's report, the most of them are quietly, under military supervision, working the land, cultivating 3,500 acres this year, raising good crops and having some supply of stock of their own, and on the whole are doing well; and inasmuch as their removal from the former scenes of their predatory warfare has resulted in giving quiet and security to a considerable portion of the Territory, it has been deemed best to accept, for the present at all events, the location at the Bosque as a settled fact, and an agent has been appointed, with special instructions to take charge of the expenditures of the department on their behalf, while a special agent has been charged with the duty of purchasing and conveying to the reservation a large quantity of useful implements and articles, having reference to their becoming self-sustaining at the earliest possible day. These articles are now on their way across the plains in a train of wagons, which, with the stock drawing them, will be needed upon the reservation. With a fair season for crops next year it is expected that the Navajos, by their agricultural labor, will relieve the government of the cost of subsistence after next year; and if they can be supplied with sufficient stock, will manufacture a good share of their own clothing.

The special agent, Mr. J. K. Graves, is instructed to inform himself fully, and report at the earliest possible day, in regard to the facts necessary to a conclusion as to retaining the Navajos at the Bosque permanently, and as to the cost of providing for them there, with allotments of land, &c.; and he is also to make examination and report as to the condition of affairs at each of the other agencies, in regard to which this office is lamentably deficient in information, knowing neither what has been done, nor what ought to be done, in behalf of the Indians. Almost immediately after the last adjournment of Congress, a change was made in the superintendent, and four new agents appointed, three of whom can neither read nor write the English language, and not assigned to any particular agencies.

It is a fact, that, with the exception of Agent Archuleta, who is mentioned by Superintendent Delgado as having charge of the agency of Abiquiu, for the Capote Utahs, &c., and Agent Labadi, in charge of the agency on the Cimarron river, this office has no knowledge, and has been unable to obtain any, as to the location of the several agents since last spring. It is confidently expected that from the report of Special Agent Graves some definite information will be obtained. I trust that I shall not exceed my proper province in this report when I suggest that hereafter, whenever the subject of a change of persons charged with the management of Indian matters is proposed, your department, at least, may be consulted as to the propriety or necessity of any change, or at all events, as to the existence of vacancies, and their location and circumstances. I feel confident that if this course had been always taken, and the information easily furnished had been laid before the appointing power, some of the changes of the last year would not have been made; or if it was deemed advisable to make them, this office would have been furnished with more accurate information in regard to the changes intended, and thus with more certain means of conducting the public business intrusted to it. It appears, from the information which my brief tenure of this office has enabled me to obtain, that it has always been difficult to obtain the services, as Indian agents, of persons who are willing to accept the very moderate salaries paid by the government as their remuneration, and to be content with acting as the conscientious guardians of the Indians, as well as the economical agents of the government expenditures in their behalf, without supplementing their salaries by conniving with traders, contractors, or other parties; and when such agents are found, I can but feel that any change must be for the worse. I trust that such agents may be supplied, if it is possible, where we do not have them now; and should be pleased, and am sure that the interests of the government would be subserved, if such as we now have could be retained.

I should mention, before leaving this superintendency, that during the last winter one of the agencies was visited by a delegation from the Moqui village Indians, living in northeast Arizona, who had come, at the peril of their lives, a distance of several hundred miles to obtain food to save their people from starvation, their crops having failed last year for want of water. Some relief was given them, and they returned rejoicing. An interesting account of these Moqui Indians has been given in previous reports, and their country abounds in remains of large buildings and populous towns, the relics of old Aztec times. Their country appears to be gradually drying up, and becoming unfit for the habitation of man. They number about 2,500, and, as they belong to Arizona, the attention of that superintendency will be called to their condition and wants.

COLORADO.

Affairs in this superintendency, on the eastern side of the mountain range which occupies the central ridge of the Territory, have been in a very unsettled condition throughout the year. We are without any annual report from Governor Evans, *ex officio* superintendent, but those of Agents Head and Oakes have been received, and from these, and from the correspondence of the office since the last annual summary, the following state of affairs appears:

There are now but two established agencies in Colorado, to wit: Tabeguache Utes, at Conejos, in the southwest, Agent Head, numbering about 4,500; Grand River and Uintah bands of Utes, Middle Park agency, having headquarters at present at Denver, and claiming a large district in the northwest, Agent Oakes, numbering 2,500.

The agency for the Arapahoes and Cheyennes, established under the treaty of Fort Wise, in the southeast part of the Territory, had under charge about 1,500 Arapahoes and 1,600 Cheyennes, and was known as the Upper Arkansas agency, having its headquarters at Fort Lyon.

The northeastern portion of the Territory was within the limits of the region claimed by the Arapahoes and Cheyennes, who were considered as being, with two bands of Sioux, under charge of the Fort Laramie agency, now included within the northern superintendency.

From Agent Head's report in regard to the Tabeguache Utes, we learn that those Indians have been very quiet during the past year, making no trouble, except in one instance, where a portion of one of the bands took forcible possession of a few sacks of flour, to save themselves from starving. The agent took immediate measures to supply their pressing necessities, since which occasion they have been quiet, although there were reasons for discontent in the unavoidable delay in the delivery of the goods promised them by treaty. That treaty provides that whenever their chiefs shall express a desire, on behalf of their people, to settle down into cultivation of the soil, certain supplies of stock, &c., shall be furnished to them. The agent states that such is now the desire of the chiefs, and urges the fulfilment by government of this provision of the treaty. A detailed estimate of the amount required for the purpose will be called for, and transmitted for your information when received. Governor Evans, during the month of August, represented the tribe as very uneasy at the failure of their goods to arrive, and expressed fear that hostilities would break out, but there is no mention in their agent's report of any such excitement. However, steps were taken to push forward the goods as rapidly as possible, and advices of their arrival have recently been received. Occasion is elsewhere taken to refer to the subject of transportation across the plains. Delays and failures in the delivery of annuity goods are a fruitful cause of trouble with the Indians, who yield the occupancy of portions of their ranges, on consideration of the receipt of sundry articles necessary to their comfort, and expect to obtain them in due season in the fall, so that they can leave for their winter hunt. The suggestion that hereafter, if it could be accomplished at a reasonable price

these goods should be forwarded by mule trains instead of by oxen, is considered a good one, and by adopting this course, and by greater care in the shipment from the frontier, I think that all cause for dissatisfaction can be avoided.

Agent Head is of the opinion that ultimately the bands of Utes, now in New Mexico, can be concentrated with the Tabeguaches to advantage.

Agent Oakes's report as to the Grand river and Uintah bands is very brief and unsatisfactory, his connexion with them having been very short. He had charge of a small number of friendly Arapahoes at Camp Collins before being appointed to this agency, but the Arapahoes left him and joined the war parties to the north in the early spring. He represents the Indians of his present charge as very peaceable and friendly, and anxious to go upon a reservation. At the latest dates he was engaged in exploring the country in search of a suitable place for such reservation.

A new agent has been appointed by the President to the Upper Arkansas agency, heretofore filled by Mr. Colley, until it was finally broken up a year ago last summer by the Indians of his charge joining with the northern Sioux and others in hostilities against the whites. The various circumstances leading to this disastrous occurrence were detailed in the annual report of last year, but no official account has ever reached this office, from its own proper sources, of that most disastrous and shameful occurrence of all, the massacre of a large number of men, women and children of the Indians of this agency by the troops under command of Colonel Chivington, of the United States volunteer cavalry of Colorado. Certain facts are apparent from the documents accompanying the report of last year, and others have been detailed in a report to Congress, and these show that during the spring and summer of last year persistent efforts were made by a part of these Indians to make peace, which efforts were repelled by some of the military officers; and that when several hundred of them had come in to a place designated by Governor Evans as a rendezvous for those who would separate themselves from the hostile parties, these Indians were set upon and butchered in cold blood by troops in the service of the United States. The few who escaped to the northward told a story which effectually prevented any more advances towards peace by such of those bands as were well disposed, except that during the last spring Roman Nose, an Arapahoe chief, sent word to an officer at one of the posts that he was anxious to obtain permission to live with his people in a locality in the vicinity of the Little Chug river. Governor Evans advised this office of the fact, and some correspondence took place upon the subject, but before any interview could be had with the chief, General Conner's campaign commenced.

A considerable amount of money had been expended at the last mentioned agency for permanent buildings, and for an extensive *acequia*, or ditch, for the purpose of irrigating the lands for cultivation. How far this expenditure has been made unavailable for agency purposes in future by damages done by the Indians or others we have no means of knowing at present. Several bands of these Arapahoes and Cheyennes went south and east, and took refuge among the Kiowas and Comanches, of Agent Leavenworth's charge, and were represented at the council which was held at Bluff creek, in southwestern Kansas, in the early part of this month. That commission, the history of which is more particularly given under the head of the Central Superintendency, after being in session about a fortnight, had succeeded, as stated in another part of this report, in negotiating a treaty with the Arapahoes and Cheyennes of this agency, numbering 2,800; and they have agreed to use their utmost endeavors to bring in those of the Upper Platte who have been associated with the Sioux and other hostile Indians in the northwest, having already sent out runners to inform them that peace had been offered them. The Apaches, too, leaving the Kiowas and Comanches, had given their assent to this treaty, and confederated with the Arapahoes and Cheyennes, the new combination being designated as "the confed-

erated tribes and bands of Cheyennes, Arapahoes and Apaches." This treaty will soon be laid before you, with a special report in reference to it.

The new agent, Mr. Taylor, who was lately appointed to the Upper Arkansas agency, was directed to report to Governor Evans, or to his successor, Governor Cumming, for assignment to such duty as he should designate in connexion with the Indian service. As the Indians, under arrangements made at the council above referred to, are to reside temporarily on the reservation made by the treaty of Fort Wise, and at the place where the improvements were being made for them, this agent has been sent to that point to remain with the Indians there until the necessary steps can be taken to remove the latter to their new reservation south of the Arkansas river.

The report of the commission above referred to will be found among the documents accompanying this report.

DAKOTA.

This superintendency, comprising the Territory of Dakota, has been for a considerable time the scene of interesting events, it being the region in which General Sully has carried on his campaigns against the Sioux Indians of the upper Missouri and country adjacent thereto; while General Conner's operations against the Sioux and other Indians of the upper Platte, whose agency was at Fort Laramie, have driven those Indians far up into the region attached to Dakota for judicial purposes, but lying west of that Territory, and between Colorado on the south and Montana on the north.

There are five agencies in this superintendency, viz :

Yanktons, at their reservation on the Missouri river, near Fort Randall, and near the southern boundary of the Territory; P. H. Conger is the agent, the number of Indians being 2,300.

Poncas, near the Yankton reservation, on the Niobrara river, which forms part of the boundary between Dakota and Nebraska; Agent Potter has them in charge, numbering at the last census 1,100.

Crow Creek Agency, near old Fort Pierre, on the Missouri. This is the point selected for a home for both the Winnebagoes and Sioux of the Mississippi, who were removed from Minnesota. The Winnebagoes have gone down to the Omaha reservation, in Nebraska Territory, leaving the Sioux, numbering 1,039, by a late enumeration, under the charge of Agent Stone.

Upper Missouri Sioux. This agency has scarcely a local habitation; Mr. S. N. Latta, who held, until recently, the office of agent, and who has from time to time distributed the annuity goods due to the Indians, having had of late very little to do with them, as they have for the most part been included among the hostile tribes. Governor Edmunds, *ex-officio* superintendent, estimates the number of the various bands as follows: Two Kettles, 780; Minnecongos, 2,220; Yanktonnais, 4,200; Uncpapas, 2,400, and Blackfeet Sioux, 1,200; Sioux of the Mississippi (not on the reservation) about 800, making a total of about 11,690.

Upper Missouri. The tribes held as belonging to this agency, having its headquarters at Fort Berthold, far up on the Missouri river, under the charge of Agent Wilkinson, are the Gros Ventres, Arickarees and Mandans, together numbering 2,500; the Assinaboines, estimated at 3,280; and the Crows at 3,500; the latter tribe, however, ranging into what is now Montana Territory.

New agents have, during the past season, been appointed for the Yanktons, Poncas, and Sioux at Crow creek, the commission of Mr. Burleigh at the first-named agency having expired, the second having been vacant for a year, and Agent Balcombe, who had charge of both the Sioux and Winnebagoes, having gone down to the Omaha reservation with the latter tribe. Special reports, required by the superintendent of each of these new agents, in regard to the condition of affairs as they found them, were forwarded to this office, and from these and the monthly reports since sent in we obtain much valuable information.

Agent Conger found the Yanctons in a very unsatisfactory condition, and expressing much discontentment, and complaining that government had not kept its promises to them, as made in the treaty by which they ceded what is now the settled portion of Dakota. He reported the agency buildings in a dilapidated condition, and everything run down; no cattle or stock, farming tools few and in bad condition, and very small preparation for a crop this year. It being already the 1st of May when Mr. Conger took the agency, but little could be done towards getting in a crop, and, for want of good seed, that little for the most part failed. The Indians are represented as being very idle and improvident. There is no school on the reservation, and none has been in existence, although the treaty provides liberally for one, and the vouchers of late Agent Burleigh are on file for the expenditure of considerable sums of money for the purpose; and there are no missionaries or teachers, though the Indians express a desire for their services.

It being considered that the annuities of the tribe are sufficient, under proper management, to place these Indians in a much better condition, and that they ought to be at least as well provided with the comforts of life as the neighboring tribes of Nebraska, the superintendent and agent are doing everything in their power to accomplish this end. On account of the failure of crops, special supplies of food must be furnished to the tribe for the coming winter, and with this fact in view I have been husbanding the funds applicable to them; but as nearly one-half of the appropriation for them for the current fiscal year had been used before the year commenced, it is doubtful whether the amount on hand will be sufficient to prevent suffering among them. The cause of this deficiency, and the remedy proposed for it, are stated in that part of this report relating to "Finances."

It is hoped that another year these Indians, being better provided, and influenced by pressing necessity, will be found cultivating good crops. The agency farms, at all events, will be under cultivation.

The Poncas, who had been without a regularly appointed agent for some time, but who were under the charge of a person specially detailed by the superintendent, were found to have some 250 acres under cultivation, with a prospect of an abundant crop. This hope has been fully realized, and the tribe, with the proceeds of a successful hunt, is in a comfortable condition for the winter, and, as appears by the report of Governor Edmunds, *ex officio* superintendent, they are affording aid to their neighbors the Yanctons. The buildings of the agency are stated to be much in need of repairs, being built of cottonwood, which makes very poor lumber. There is no school upon the reservation; the treaty requires one, and money to a considerable amount has been forwarded from time to time, on the requisition of former agents, for school purposes. Special inquiry has been directed to this point. The agent proposes to employ Indians to do the necessary labor upon the reservation, and finds them willing to work for reasonable wages, and anxious to increase their stock of teams, wagons, &c. We shall, I am confident, find matters much improved also at this agency another year, if the season is favorable for crops.

Attention was called last year to the fact that the murderers of several of this loyal and friendly tribe had not been discovered and punished. I trust that, as there seems to be no probability that this will be done, a special appropriation may be made for presents to the relatives of the deceased.

Considering the character of the soil at the Crow Creek agency, the fact that the Sioux removed thither were mostly old men, women and children, who had been taken captive or given themselves up soon after the Minnesota massacres, and the further fact that their small attempts at hunting had been frustrated by their parties being turned back by the military forces, these Indians are in as good a condition as could well be expected. They are provided for out of an appropriation of \$100,000 made by Congress, all treaties with their tribe having been

declared abrogated, and of course all annuities stopped. Agent Stone found many things needed, which, with good management, the funds appropriated to their use ought to supply, particularly working cattle and cows. The buildings also were in poor condition, and the tribe ill provided as to shelter. Measures were taken towards an improvement in these matters. The Indians were somewhat afflicted with scurvy, and, on the recommendation of the superintendent, and at the suggestion of Hon. Mr. Hubbard, of the congressional committee, who visited the agency, an ample supply of potatoes has been provided.

The schools at the agency are in a good condition, and the Indians appreciate their advantages.

The able-bodied adult males belonging to the families at this agency are, for the most part, still confined, under charge of the military, near Davenport, Iowa. The only offence of which many of them appear to have been guilty is that of being Sioux Indians, and of having, when a part of their people committed the terrible outrages in Minnesota, taken part with them so far as to fly when pursued by the troops. At all events, as soon as the troops came near enough to give them protection they came in, and brought with them, rescued from the horrors of Indian captivity, a large number of white women and children. Their reward appears to have been a sorry one, but they have patiently endured their captivity. It is believed that measures are about being taken to release nearly all of them and send them to their people at Crow creek, where the addition of their labor will be an important help in farming operations.

In this connexion allusion may properly be made to certain Sioux, mostly Sissetons, it is believed, who were occupants of land in western Minnesota, but who, being either captured or having voluntarily surrendered, have been supported mostly by issues of supplies from Fort Wadsworth, in eastern Dakota, but partly by cultivating some crops in that vicinity. A part of them have done faithful service to the government as scouts along the frontier. Congress made special provision for such of these Indians as were known to have exerted themselves to bring in the captive whites, by setting apart eighty acres of land for each, in their old country. Steps were taken by some of these Indians last spring to avail themselves of this provision, though not without strong opposition on the part of whites who had already occupied much of their lands.

Returning to the Missouri river, the next agency above Crow creek is that to which the various tribes of Sioux belong, lying on both sides of the river. General Sully, having placed sufficient garrisons in the posts along the river and in the line of posts nearer the Minnesota frontier, has, with his movable column, been in search of the hostile Sioux during most of the spring and summer without being able to bring them to action. It was thought, at the last session of Congress, upon representations made to and through this office, that nearly all of the hostile Sioux would be glad to make peace, having suffered enough. Indeed, the same opinion was entertained the previous year, and an agent of this office, Rev. Father De Smet, was sent up the Missouri to get access to the tribes, but he was not allowed by General Sully to communicate with them.

Last winter Congress appropriated \$20,000 for the purpose of paying the expenses of negotiating a treaty with these Indians, and that amount, in goods and money, was placed at the disposal of Governor Edmunds, to enable him to proceed in the discharge of this duty; but the governor found the military officers still disinclined to act in concurrence with him, and determined upon another campaign as necessary to subdue the Indians, and the attempt to make a treaty was, for the time, abandoned.

General Sully followed the Indians as far north as the British possessions, and thence followed the course of the Missouri river down until, at last advices, he was at Fort Sully, not very far above the Crow Creek agency. Several interesting reports of the general's marches have been transmitted to this office, and it would appear that while at Fort Rice, on his way down the Missouri, a

large force of the hostile Indians, too large to be attacked with safety, were in the country to the eastward of that post. The general's report estimates the number at ten thousand warriors, but this is probably the error of a copyist, as the total population of the hostile tribes would scarcely afford so many able-bodied men, and it is understood that a large number had already separated themselves from the bands so hotly pursued. The general was under the apprehension that his failure to attack and continuance of his march down the river would be considered by the Indians as a retreat.

In the latter part of August, under the direction of the President, a commission, comprising Governor Edmunds, Major General Curtis, Superintendent Taylor, General Sully, and Hon. Orrin Gurnsey, was appointed to go up the Missouri to endeavor to meet and negotiate with these Indians, and this commission is now at its appointed rendezvous.

No report has yet been received from this commission except such as is contained in the report of Governor Edmunds, herewith, under date of the 14th October, and in other advices referred to in the preliminary part of this report. They had, on the 10th, signed a treaty with the Minnecongus, numbering, as represented by their chiefs, three hundred and seventy lodges. This band was represented by eight of their principal chiefs—including One Horn, head chief—and twenty-three warriors. These claimed also to represent ten other bands of Sioux, nearly all of whom have been hostile; all of whom, they said, were anxious for peace, and would willingly treat on the same terms as offered to the Minnecongus. It is highly probable that other treaties have ere this been entered into with other bands, and that we are now actually at peace with this numerous and troublesome people. In case the report of the commission reaches this office in time, it will be published among the papers accompanying this report.

Treaties cannot, however, be completed at this time with all who are anxious for peace. This is owing to the lateness of the season, and the very widely scattered position of the Indians. I am satisfied that, with the opening of spring, the Indians being accessible, treaties of peace can readily be effected with all the tribes of the southwest; and when it is considered that ten years of such peace will be much less expensive than one year of war, I cannot but congratulate you on the abundant success of your earnest efforts in this behalf.

General Sully states, in a recent report, that he thinks that at least two-thirds of the tribes originally hostile will have, by this time, either given themselves up or detached themselves from the remainder. The cost of these military campaigns is enormous, and it still remains doubtful whether a reliable peace could not have been made last year at infinitely less price. Every possible effort, under your instructions, has been made, during these operations, to prevent the occasional differences of opinion between civil and military officers from affecting the efficiency of military operations; and if they have not fully succeeded in accomplishing their end, no fault can be found with subordinates of this department; while, if they are successful, their success will be highly gratifying to this office.

Governor Edmunds has felt it to be his duty, as governor of the Territory and superintendent of Indian affairs, to call attention to sundry irregularities, of which he considered the proof to be ample, in the conduct of parties connected with the military posts on the Missouri river, in furnishing the Indians with articles contraband of war, in exchange for articles which they had for sale. Doubtless these transactions, if brought to the knowledge of the commanding officer, have been checked. General Sully has exhibited every desire to have his operations interfere as little as possible with the intercourse with and supplies for the friendly tribes in the northern part of the Territory.

The Gros Ventres, Arickarees, and Mandans, to whom distribution of annuity goods is made by Agent Wilkinson at and near Fort Berthold, were supplied satisfactorily, except that the diminution of the quantity, caused by depreciation of the currency, was difficult of explanation.

These friendly tribes have for a long time expressed an earnest desire to concentrate upon a reservation near Fort Berthold, where they cultivate successfully a large body of land; and to receive the benefits of a treaty, in instruction in labor, agricultural implements, and particularly in schools for their children.

It is hoped that, either by the commission now up the Missouri, or by others, such a treaty may be made with these Indians. The appeal of the old Arickaree chief, White Shield, published in the annual report last year, and the statements made by Rev. Mr. De Smet, also published in that report, are fully confirmed and strengthened by the statements of Agent Wilkinson this year. I trust that action in their behalf may not be longer delayed.

Of the Assinaboines, no advices have been received, except that they were, about September 1, below Fort Union, at some distance north of the Missouri, divided into small bands for hunting, quite poor, but friendly.

Agent Wilkinson represents the Crows as behaving well, friendly to the whites, keeping out of the way of their old enemies, the Sioux, and anxious to have an agency established among them some seventy-five miles above the mouth of the Yellowstone, but thinks that they would consent to remove to reserved lands north of the Missouri river.

Measures should, in my judgment, be taken to compel the permanent residence of the agents with the upper Missouri tribes, of whom they have the charge. Of course this cannot be done as to the Sioux until a final arrangement is made with them; but as to the Indians about Fort Berthold, there seems to be no good reason why the agent should not be with them. The law of Congress requires it, and it is every way desirable, for the benefit of the Indians and their protection from the effects of unlawful traffic.

IDAHO.

This office has been without authentic intelligence in regard to Indian affairs in this new Territory for many months, sundry reports forwarded by Governor Lyon, *ex officio* superintendent, having failed to come to hand. But one agent has been on duty in the Territory, Mr. O'Neill, in charge of the Nez Percés, a large and friendly tribe, numbering 2,830 by a late census, and located in various bands within seventy-five miles of the agency. Through failure of the mails, Mr. O'Neill's bond, which had been forwarded by Governor Lyon, did not reach this office, and no funds could be forwarded to him for the necessary expenditures under the treaty with those Indians. Much dissatisfaction was the necessary result; but through the influence of Lawyer, the faithful head chief, the efforts of those anxious to commence hostilities have been defeated, and no outbreak had occurred at the latest dates. The causes of dissatisfaction have certainly been great. The first treaty made with these Indians, which was satisfactory to them, had been superseded by another, made by Superintendent Hale, of Oregon, of which Idaho was formerly a part, and this has not yet been ratified by the Senate. Meantime the promised payments under the first treaty were delayed, and disloyal persons were not wanting to persuade the Indians that the government was acting in bad faith towards them. However, as stated above, the efforts of the head chief, Lawyer, and others, with those of the agent, were successful in preventing any outbreak, and funds have recently been forwarded to make the deferred payments. Agent O'Neill's report sets forth the condition of things among these Indians very clearly. The rapid increase of the white population, now numbering, by Governor Lyon's estimate, nearly fifty thousand in the Territory, and the influx of a mining population, extending their prospecting tours in every direction, has still further tended to render it difficult to preserve peace.

Advantage has been taken of Governor Lyon's recent visit to this city to obtain much valuable information in regard to the Indians of Idaho, and he has returned with funds to pay the sums past due under treaty stipulations with the Nez Percés, and with authority to conclude a new treaty with that tribe, which, it is hoped, will reach this city in time to be ratified by the Senate instead of the one now before that body. Authority has also been given to Governor Lyon to conclude a treaty, if possible, with the Kootenais and Cœur d'Alene Indians in the extreme northern part of Idaho, and it is expected that very large tracts of mining and agricultural land will be opened to the public by these treaties, while the Indians will be rendered secure from molestation upon their diminished reserves. From the report of Agent Hutchins, of Montana, it would appear doubtful whether many of the Kootenais, beyond those who are already included within the provisions of the Flathead treaty, can justly claim any rights this side of the British line, and the attention of Governor Lyon will be called to this point.

In the course of the governor's extended tour through the Territory, he met, at a point not very far distant from the present capital, Bois  City, the chiefs of the Bois  Shoshonees, and made with them a kind of preliminary treaty agreement, by which the Indians agreed, on the fulfilment by the government of certain rather loosely defined conditions, to cede to the United States an extent of country estimated at many millions of acres, and comprising a large part of southern Idaho, and to concentrate upon a reservation of moderate dimensions. This treaty not being in a condition for submission to the Senate, authority has been given to Governor Lyon to conclude a formal treaty with the tribe referred to, upon the general basis of the arrangement above mentioned.

In the region about Fort Hall, in southeastern Idaho, and bordering upon and occupying the northern part of Utah, so far as their limited numbers and migratory habits allow them to occupy any territory, is another band of Shoshonees, understood to be one of those with whom the late Governor Doty concluded treaties of amity, providing for unmolested travel through the country by the whites, and a small annual payment by government to offset the necessary limitation of the means of subsistence of the Indians, resulting from the driving off of game and destruction of nut-bearing trees, &c. These Indians are called by Governor Lyon the Kammas Prairie tribe, and are represented by him as desirous of being concentrated upon a reservation of limited extent; and the necessary powers for the purpose have been given to him.

The Nez Perc s are supposed to number about forty-five hundred, the C ur d'Alenes, Kootenais, &c., some two thousand, the Bois  Shoshonees one thousand, and the Kammas Prairie Indians about two thousand; and if the proposed arrangements with these tribes are successfully made, the whole Territory of Idaho will be thrown open to settlement, except the limited reservations above referred to.

New mail routes have just been opened, greatly facilitating the communications between the capital of Idaho and San Francisco, and this will probably be for some time to come the shortest route for letters and supplies.

MONTANA.

The Indians within this superintendency are comprised in two divisions, the Gros-Ventres of the mountains and the various tribes or bands of Blackfeet Indians—all east of the Rocky mountains, and whose numbers are estimated as follows: Gros-Ventres, 1,800; Piegans, 1,870; Bloods, 2,150, and Blackfeet proper, 2,450, the last three making the Blackfeet nation; and west of the mountains, the confederated tribes represented at the Flathead treaty, and numbering as follows, according to a census taken last spring: Flatheads, 551;

Pend d'Oreilles, 908; Kootenais, 273; total, 1,732. Agent Upson, at Fort Benton, has charge of the tribes east, and Agent Hutchins of those who are west of the mountains, Mr. Chapman having been appointed to succeed the latter.

Whether or not there are any tribes or bands who range in the mountain country now being overrun in the search for gold in the southwestern part of the Territory, we have no means of knowing, as we have no report, either this year or last, from Governor Edgerton, *ex officio* superintendent.

Provision was made by Congress at its last session by which to effect a treaty with the Blackfeet nation, having for its object the cession of their right to occupy all lands south of the Missouri river and the Teton, one of its upper branches, the object being to throw open to settlement by the large number of emigrants that region, supposed to abound in gold; and the sum of \$15,000 was appropriated for the purpose. Under date of March 24, instructions, prepared under the direction of your predecessor, were given to Agent Upson for his guidance, and the funds placed at his disposal. No report has been received from him, except that on the 12th of June he had arrived within the bounds of his agency, and was met with reports that a portion of his Indians had broken out into hostilities. His information was that the Bloods and Blackfeet proper were the hostile bands, but that the Piegans and Gros-Ventres were still friendly. Should this latter statement be correct, the conduct of those tribes may justly be ascribed to the pains taken last year by Agent Upson to bring about a peace between them and a friendly feeling towards the whites. Nothing further has been heard from the agent, the means of communication between this city and his post at Fort Benton being irregular and precarious. As a confirmation, however, of this unpleasant news, we have a letter from Agent Hutchins, dated August 3, in which he gives some information, obtained from a Flathead Indian of much intelligence, who had just returned from a hunting tour east of the mountains, to the effect that the Blackfeet had broken out into war with the whites, but that the Crows, under the influence of the good treatment which they had received last year at Fort Union, would remain at peace.*

Agent Hutchins's annual report, dated June 30, gives a favorable idea of the Indians under his charge. He had distributed, partly last fall and partly in the early spring, the goods which were sent out the previous year, being useful articles and mostly agricultural implements; and the Indians, who are decidedly improving in attention to cultivation of the soil, expressed themselves as delighted with these goods. The Flatheads live mostly in the valley of the Bitter Root river, outside of the reservation, the Pend d'Oreilles upon the reservation a few miles from the agency at Jocko, and the Kootenais just outside of the reservation, but intend to remove upon it and open farms. A portion of the Kootenai tribe, which lives principally beyond the British line, did not share in the distribution of goods. The agent thinks that the Flatheads ought to be required to remove upon the reservation, to withdraw them from the influence of and from trouble with the white population which is "prospecting" the country, but suggests that justice to the Indians requires that if they do remove, some remuneration should be given to them for their improvements, the work of their own hands.

There is now no school at this agency, a report made by Agent Hutchins, which reached this office last winter, showing the one in operation to have been so useless that he had closed it, and submitted a plan for re-establishing it on the manual labor plan. He was directed to forward estimates for this purpose, and these have but recently come to hand. They appear to be quite reasonable, and within the means at the disposal of this office. Meantime a new agent has been appointed to succeed Mr. Hutchins, and the agency has been transferred

* See Appendix for Agent Upson's annual report.

to Idaho, for greater facility of communication; and the subject of the school has been referred to Governor Lyon, with instructions to cause the plan to be put in operation, if, after inquiry, he shall deem it advisable. The Flathead agent has recently been directed to report to the governor of Idaho.

A year ago last July Mr. O. D. Barrett, under a special commission from your predecessor, and with instructions to report to Governor Edgerton, of Montana Territory, was intrusted with a quantity of goods for the Indians of that region, and provided at St. Joseph with an excellent four-mule team and wagon in which to convey the goods with himself to his destination, and a sufficient sum was advanced to him for his expenses. Governor Edgerton was advised of his appointment, and directed to discharge him upon his arrival and delivery of the goods, if his services were not needed. Mr. Barrett was heard from late in the fall, having had bad luck in his journey; again in the spring, having left his goods at Salt Lake City, and borrowed \$50 of Superintendent Irish to get them out of store; and again, two or three weeks since, having arrived in Montana with neither team nor goods. At about the same time Governor Edgerton advised this office of Mr. Barrett's arrival, and that he had notified him that his services were not necessary, and that thereupon the agent declined to be discharged, claiming to hold a commission irrevocable by the governor. Governor Edgerton has been directed to "stop the supplies," and pay over no money to Mr. Barrett, on any account, until all money and property placed in his hands shall be fully accounted for.

SOUTHERN SUPERINTENDENCY.

At the period of the last annual report from this office, affairs in this superintendency, comprising what is known as the "Indian country," south of Kansas, together with the Osages along the southern border of that State, were still in the confused and discouraging condition which necessarily resulted from the war. Portions of the country about Forts Gibson and Smith, and the travelled route for government trains from the north to those posts, were held by United States troops; and a portion of the Indians, who had remained loyal to the government, were attempting to subsist themselves in the neighborhood of the above forts. Many of the able-bodied men of the loyal sections of the tribes were in the United States service as soldiers, but many thousands of the people were, in Kansas and portions of the Indian country, subsisted at the expense of the funds which, if the tribes had remained steadfast to the Union, would have gone to them as annuities. Serious complaints were being made to the department that stock owned by Indians, and necessary for their subsistence, and the small crops of corn raised by those who had been able to till the ground, were being taken from them by unprincipled speculators. Some of the military officers had laid the blame for this state of things upon the Indian agents, but an investigation of these charges showed them to be without foundation. The most stringent rules and regulations in regard to the sale of stock from the Indian country were adopted and issued, but it is apparent that the practice of running stock out of the country has continued, the keenness of the speculators enabling them to elude the vigilance of the officers, and it is believed that an immense amount of such stolen stock has been purchased at large prices by the government. The information obtained by Superintendent Sells, as given in his report, furnishes some idea of the enormous extent as well as profit of the business, where contractors obtain ready sale for the plunder at such rates as they have received from the government. The reports of Agents Hailan and Reynolds throw further light upon the subject, and it is gratifying to know that by their efforts, aided in good earnest by the military force put at their disposal by Major General Mitchell, who has shown every disposition to assist them, much has been done towards breaking up this nefarious traffic. It is manifest, however, that

something more is needed in the form of legislation. Superintendent Sells informs us that the system of plunder is thoroughly organized, having its grade, of agents and participants, from the reckless and daring scouts and drivers, who are well acquainted with the country, and who steal and run off the cattle to the Kansas line, up through the agents of the contractors, who receive and arrange fraudulent bills of sale for them, to men of higher position in the social scale, who, incited by avarice, have seized with avidity this disgraceful means of gain. In fact, it appears as if an obliquity of conscience had affected the whole community on the border, for the great majority of the people seemed to favor the speculation, or regard it with indifference.

In confirmation of the estimate made by the superintendent as to the extent of this traffic, the position and influence, civil and military, of the persons engaged in it, the difficulty of preventing its continuance and of punishing its operators, I here subjoin brief extracts from a report which has just been received from Lieutenant George Williams, who was some time since detailed by the War Department to investigate these matters, under instructions from this office.

After alluding to the large number of persons who have made independent fortunes in the business, he says :

"Not content with having this odium attached to their own names, having carried it on so successfully and without interruption from those in authority, who knew of the whole transaction in this line, but who were too deeply interested themselves to try any measures to put a stop to it, they have induced men by the hundred to go down into the Indian territory and steal and drive out cattle," &c.

Again : "The military force sent into this State for the protection of these Indians have been the agents through whom a great portion of the stealing has been accomplished," &c.

After giving the names of some thirty or forty prominent men, merchants, military officers, Indian agents, traders and others, whom he charges directly with being implicated in this traffic in one way or another, Lieutenant Williams says :

"The above-mentioned parties and their allies, the cattle thieves, have been engaged in the business since 1862, and I have evidence against most of them in my possession, but there is scarcely if any use to attempt to prosecute them before any court in Kansas, because they openly make their boasts that they can buy men enough to swear anything they want them to, and I know they speak the truth from experience."

As to the extent of the business : "In my opinion, during the past four years there have been at least 300,000 head of cattle stolen from the Indian territory, a country at one time rich in their cattle possessions, and now scarcely a head can be seen in a ride of 200 miles."

The very late arrival of Lieutenant Williams's report, just as I am about closing this paper, makes it impossible for me to give it, with the voluminous accompanying testimony, sufficient examination to enable me to form a judgment as to whether the testimony fully supports the sweeping charges made by him, and I do not therefore feel at liberty to incorporate his report and testimony among the documents to be published with this report, but submit the papers for your information, and for such directions as you may see proper to communicate after having given them examination. I will only remark, that so far as the charges implicate any of the agents or employes of this bureau, every possible effort will be made to ascertain their truth, and bring to justice any that are found guilty.

The law enacted by the last Congress on this subject provides only for the punishment of those who actually drive or remove "any cattle, horses, or other stock from the Indian territory for the purpose of trade or commerce." This does not seem to reach the case of those who deal in the stolen property, and

it is to be hoped that the wisdom of the next Congress will provide a more stringent act, reaching all concerned in the transaction, and making the possession of Indian cattle *prima facie* evidence of their larceny; or in some other manner provide a more effectual remedy for this great evil, by insuring severe and certain punishment to the guilty parties.

Hopes have been entertained that, when the war was ended, such arrangements could be made with the tribes occupying the Indian territory as would enable the department to find room within its ample bounds for many of the tribes in Kansas, or such portions of them as did not choose to abandon their tribal relations and become citizens, and that affairs in that country might be re-organized in such a manner as to render such an arrangement highly advantageous both to the Indians and the government. It was therefore with great satisfaction that I learned, through your department, early in July, that a council had been held on the 24th of May, by the tribes of the southwest, lately allied with the rebellion, at which delegates had been appointed from each of them to visit this city for a conference with the government.

It was at first contemplated to allow these delegates to come to Washington, but subsequent correspondence resulted in the designation of a board of commissioners to proceed to the Indian country, and meet them at Fort Smith, Arkansas, and the President appointed a commission comprising the following persons: D. N. Cooley, Commissioner of Indian Affairs; Hon. Elijah Sells, superintendent southern superintendency; Thomas Wistar, a leading member of the society of Friends; Brigadier General W. S. Harney, United States army; and Colonel Ely S. Parker, of General Grant's staff. As a prominent part of the history of Indian affairs during the past year I have included the report and official record of the proceedings of this commission, which was continued for thirteen days, among the documents accompanying this report, and need only notice briefly here the results which are more fully detailed in those papers.

The council assembled at Fort Smith, September 8, and delegates were present in the course of the sittings (though not all in attendance at first) representing the Creeks, Choctaws, Chickasaws, Cherokees, Seminoles, Osages, Senecas, Shawnees, Quapaws, Wyandotts, Wichitas, and Comanches. Immediately upon the opening of proceedings, the tribes were informed generally of the object for which the commission had come to them; that they for the most part, as tribes, had, by violating their treaties—by making treaties with the so-called Confederate States, forfeited all *rights* under them, and must be considered as at the mercy of the government; but that there was every disposition to treat them leniently, and above all a determination to recognize in a signal manner the loyalty of those who had fought upon the side of the government, and endured great sufferings on its behalf. On the next day the delegates were informed that the commissioners were empowered to enter into treaties with the several tribes, upon the basis of the following propositions:

1st. That each tribe must enter into a treaty for permanent peace and amity among themselves, each other as tribes, and with the United States.

2d. The tribes settled in the "Indian country" to bind themselves, at the call of the United States authorities, to assist in compelling the wild tribes of the plains to keep the peace.

3d. Slavery to be abolished, and measures to be taken to incorporate the slaves into the tribes, with their rights guaranteed.

4th. A general stipulation as to final abolition of slavery.

5th. A part of the Indian country to be set apart, to be purchased for the use of such Indians, from Kansas or elsewhere, as the government may desire to colonize therein.

6th. That the policy of the government to unite all the Indian tribes of this region into one consolidated government should be accepted.

7th. That no white persons, except government employes, or officers or em-

ploýés of internal improvement companies authorized by government, will be permitted to reside in the country, unless incorporated with the several nations.

Printed copies of the address of the commissioners involving the above propositions were placed in the hands of the agents, and of members of the tribes, many of whom were educated men.

On the third day the delegates from the loyal Chickasaws, Choctaws, Senecas, Osages, and Cherokees, principally occupied the time with replies to the address and propositions of the commissioners, the object being partly to express a willingness to accept those propositions, with some modifications, if they had been clothed with sufficient power by their people, but chiefly in explanation of the manner in which their nations became involved with the late confederacy. The address of the Cherokees was especially noteworthy, inasmuch as they attempted to charge the causes of their secession upon the United States, as having violated its treaty obligations, in failing to give the tribe protection, so that it was *compelled* to enter into relations with the confederacy. The next day the loyal Seminoles expressed their willingness to accede to the policy of the government, and to make peace with those of their people who had aided the rebellion. The president of the commission then read a reply to the address of the loyal Cherokees above referred to, showing, from original and official documents, that, *as a tribe*, by the action of their constituted authorities, John Ross being then, as at the time of the council, their head, they had, at the very opening of the rebellion, entered into alliance with it, and raised troops for it, and urged the other tribes to go with them, and that they could not now, under the facts proven, deny their original participation in the rebellion. (The documents establishing the bad faith of John Ross had but recently come into possession of the department. They are very interesting, and taken in connexion with his course at Fort Smith in keeping aloof from the council, but exercising his powerful influence to prevent an amicable settlement with the hitherto disloyal part of the nation, will be found fully to justify the course taken by the commission in refusing to recognize him in any manner as chief of the Cherokees.)

The loyal Creeks on this day presented their address of explanation, setting forth the manner in which their nation, by the unauthorized action of its chief, entered into treaty relations with the confederacy, and the terrible sufferings which the loyal Creeks endured in battle and on the march to Kansas seeking protection from the United States, and asking "to be considered not guilty."

It being certain that no final treaties could be now concluded with the tribes represented, for the reason that, until the differences between the loyal and disloyal portions were healed, there could be no satisfactory representation of most of them, it was determined to prepare for signature by the commission, and by the delegates representing all factions and opinions, a preliminary treaty, pledging anew, on behalf of the Indians, allegiance to the United States, and repudiating all treaties with other parties; and on the part of the United States agreeing to re-establish peace and friendship with them. This was considered essential as preliminary to the main business of the commission, to wit: to make peace between the several tribes, and negotiations as to purchasing lands, territorial government, &c. This work was diligently pursued until, on the breaking up of the commission on the 13th day, all of the delegates representing the following tribes and sections of tribes, in the order given, had signed treaties, (some of them holding out for several days until they could agree among themselves:) Senecas, Senecas and Shawnees, Quapaws, loyal Seminoles, loyal Chickasaws, loyal Creeks, Kansas, Shawnees (uncalled for, but asking to be permitted again to testify their allegiance,) loyal Osages, tribes of the Wichita agency, loyal Cherokees, disloyal Seminoles, disloyal Creeks, disloyal Cherokees, disloyal Osages, Comanches, disloyal Choctaws, and Chickasaws.

Friendly relations were established between the members of the various tribes hitherto at variance, except in the case of the Cherokees. The ancient feuds

among this people are remembered still, and the Ross, Ridge, and Boudinot difficulties have never been healed. This portion of the nation was ably represented in council by Boudinot and others, and having learned from the action of those representing the loyal party that if they came back it must be as beggars and outlaws, asked the protection and good offices of the commission. Efforts were then made on the part of the commission to effect a reconciliation, but all that could be brought about was a promise upon the part of those representing the loyal party to present the question to their council, which is now in session, and I entertain the hope that soon I shall be able to furnish you a report of their proceedings, in which they offer fair and honorable terms of adjustment. If, however, I should be disappointed in this reasonable expectation, I trust the government will take the matter in hand, and, by a just and equitable division of their property, make a final settlement of all their difficulties.

When the majority of this nation returned to their allegiance to the government, in 1863, action was taken by their council, under direction of John Ross, confiscating the property of those who still continued in the service of the confederacy, thus cutting off about five thousand five hundred of the nation, leaving them homeless and houseless. This destitute portion of the tribe are still refugees on the Red river, suffering from the want of every necessary of life, and existing only upon the charity of the humane people of northeastern Texas. The department has, however, sent a special agent to look into the wants of these refugees, and must rely upon Congress for the necessary means to relieve their necessities.

The commission did not adjourn without having made valuable progress towards the consummation of treaty arrangements with several of the most important tribes. With the Osages a treaty was made, signed by the lately disloyal party at the council, and by the loyal chiefs afterwards at their agency, by which they cede to the United States a very large area of valuable land, which may be used for colonization of other tribes if it shall be needed for the purpose, or sold for their benefit. That treaty has just reached this office by the hand of Superintendent Sells, and will be submitted to you with his report.

The terms of a treaty were agreed upon with both parties of the Creeks, whereby they cede to the United States, for the use of the friendly Indians from Kansas or elsewhere, all of their lands north of the Arkansas river, and one-half of the remainder lying south of that river, on terms which I trust will meet the approval of the government. This treaty is to be signed in this city by delegates properly accredited by the united Creek nation.

With the Choctaws and Chickasaws a treaty was agreed upon, upon the basis of the seven propositions heretofore stated, and in addition to which those tribes agreed to a thorough and friendly union among their own people, and forgetfulness of past differences; to the opening of the "leased lands" to the settlement of any tribes whom the government of the United States may desire to place thereon; and to the cession of one-third of their remaining area for the same purpose; the United States to restore these tribes to their rights forfeited by the rebellion. This treaty, after its approval by the councils of the Choctaws and Chickasaws, is to be signed in this city by three delegates from each nation sent here for that purpose.

It is not intended to hold any general council in this city, but it was understood that delegates would, if necessary, visit Washington on behalf of any of the tribes owning lands in the Indian country which the government might desire to purchase for the use of other Indians, so that, by properly accredited delegates, all necessary arrangements with the several tribes might be made.

It became sufficiently evident, in the course of the council, that one great object in view by the government, the colonization of such of the tribes or portions of tribes from further north as should desire a permanent home in the Indian country, would be secured when the policy of the government in regard to them

was fully understood; and it was gratifying to notice that the subject of the organization of an Indian territory, with provisions securing a certain degree of individuality to the various tribes—indeed, based upon the admirable form of government of the United States, and with a representative delegate in Congress—although at first distasteful to the leading spirits among the Indians, gradually increased in favor by the study of the few copies at hand of the bill proposed by yourself in the Senate last winter, until, near the close of the council, Mr. Boudinot, a man of education and ability, speaking on behalf of the Cherokees and others who had taken part in the rebellion, (his remarks being assented to by all present,) declared in a speech, a note of which is preserved among the records of the council herewith, that the plan was eminently satisfactory, and would entitle its projectors to the everlasting gratitude of the Indians. We may, then, reasonably hope to see this admirable project carried into operation at no distant day.

From the able and elaborate report of Superintendent Sells, and the several agents in charge of the tribes within this superintendency, we obtain much valuable information as to their present condition, in reference to both the loyal portions of them, who have been refugees from their homes during the war; and the disloyal, who made treaties and engaged actively with the late "southern confederacy." The contrast between their condition now and before the war, whether we refer to either loyal or disloyal, is sad indeed. Most of these tribes had advanced far in civilization, and their country was well provided with good schools and academies. Many of their leading men are to-day thoroughly educated men, of statesmanlike views, fully able to express those views in our language, in a manner which can be excelled in few of our deliberative assemblies. Their people were rich in real and personal property, living in the enjoyment of every thing needed for their comfort; and considerable wealth had accumulated in the hands of some of them—the slaveholders—so that they lived in a style of luxury to which our thriving northern villages are mostly unaccustomed. Their crops were abundant, but their chief element of prosperity was stock-raising, and vast herds of cattle were in their hands as a means of wealth. The change is pitiful. Their land has been desolated by the demon of war till it lies bare and scathed, with only ruins to show that men have ever dwelt there. A perusal of the reports herewith will satisfy you that these remarks are no exaggeration, particularly as to the Cherokee, Quapaw, and part of the Creek bands; the condition of affairs in the Choctaw and Chickasaw country is not so serious, for the reason that those tribes went almost unanimously with the rebellion, and of course had no object in destroying their own property; though even there the effects of the war are distinctly visible. But in the Cherokee country, where the contending armies have moved to and fro—where their foraging parties have gone at will, sparing neither friend nor foe—where the disloyal Cherokees, in the service of the rebel government, were determined that no trace of the homesteads of their loyal brethren should remain for their return, and where the swindling cattle-thieves have made their ill-gotten gains for two years past, the scene is one of utter desolation. Of course, the loyal portions of all of these tribes have suffered most; for they became refugees from their homes, leaving them in the hands of their enemies, and everything that they left was destroyed. A large number of the loyal Indians of all the tribes entered the service of the United States, and many of them sealed their fidelity with their life-blood, while many others are maimed for life. Now that the war is over, the survivors of these loyal bands claim the sympathy and aid of the government. They are anxious to return to their country, but they have no homes there, and no subsistence. They are utterly destitute, and entirely dependent upon the government for food and clothing. In another season, if timely assistance in the way of agricultural implements and other aid is afforded them, they may become self-sustaining by

tilling the ground; but for the present, at least, they must be dependent upon the government.

Let us glance at the condition of the several tribes as portrayed in the report of the superintendent and agents:

The Seminoles numbered before the war nearly 2,500, of whom more than half came out with the loyal Creeks and took refuge in Kansas, their able-bodied men joining the United States army. There are about 2,000 of the tribe left. Some 500 of them were furnished with seed and a few agricultural implements last spring, and, upon land near Fort Gibson, in the Cherokee country, labored diligently and with some degree of success for the means of subsistence, having raised produce to the value of \$2,500. The records of their old agency have been preserved through the war, and are safe at Fort Washita. They are anxious to go to their own country south and west of the Creek region, but matters there are not sufficiently settled as yet, and the agent thinks that they should be removed to some point among the Creeks and subsisted there, to be near their own lands at the opening of spring. About 1,000 of them are now drawing rations from government. They are very poor and destitute, and must be fed and clothed, or suffer and starve. Agent Reynolds says that they wish to settle upon individual lands, where they can own and enjoy the fruit of their own labors. As they are closely allied to the Creeks, and speak that language, they might perhaps be consolidated with them; or, if not, it is thought that they would be glad to dispose of the western portion of their lands, to be used for a home for other Indians, and thus procure the means for establishing themselves again in a condition to become self-supporting, and educate their children.

Agent Reynolds has been especially active in efforts to stop the plundering of Indian stock, and thinks that his efforts have been successful.

Of the Cherokees, all of the nation at first joined the rebels, including all factions, of full and mixed blood. Regiments were raised by the order of the party in power, then and now the majority, called the Ross party, which regiments fought against the Union forces at Pea Ridge and on other occasions. All seem to have agreed as to their course of action down to the fall of 1862, when a portion of the troops, under Colonel Downing, 2d chief, and a majority of the nation, abandoned the rebel cause and came within our lines. About 6,500 of the more wealthy portion still continued to co-operate with the south till the close of the war; and about 9,000, early and late, came back to their allegiance.

Two regiments of these people, numbering 2,200 men, deserted the rebel cause as above stated, and since that time, to the end of the war, have fought on the side of the Union. The total population of the nation is now estimated at about 14,000.

Bad as is the condition of all these southern Indians, that of the Cherokees is much worse than the remainder of the tribes. They have a domestic feud, of long standing, which prevents them from coming together for mutual aid and support in their manifold troubles. In 1863 a portion of them had gone back to their country, expecting to be protected by the United States troops in raising a crop for their support; but they were driven from their fields by rebel parties; and while their former brothers were plundering them from one direction, their white friends from Kansas were stripping the country of their stock from the other. The account given by Agent Harlan of the *modus operandi* of the cattle-thieving business would be amusing, if the thing described were not outrageously criminal. Some idea of the extent of this business may be obtained when it is seen that the agent estimates the losses of the Cherokees in stock alone at *two millions* (\$2,000,000,) while Superintendent Sells thinks that the losses of *all* the tribes have amounted to full *four millions*.

About 9,000 Cherokees are now receiving rations from government, and a large portion of those lately disloyal are suffering greatly for the necessaries of life. They need food, clothing, tools, everything in fact, to begin life again;

and their condition must be that of extreme destitution until they can again realize the fruits of their labor upon their own soil. The Cherokees own a tract of 800,000 acres in the southeast corner of Kansas, which should be made available for their benefit; and have, besides, a vast tract of land below the Kansas line, very largely beyond their possible wants. All beyond those wants should be purchased by government, and the avails used for the benefit of the whole people. Superintendent Sells doubts whether the loyal and disloyal Cherokees can ever live in friendship together, and suggests that in case this proves to be impossible, the latter can easily make terms with the Chickasaws to join with them. I have already alluded to the condition in which this southern portion of the nation is left by the action of the party in power, and will only add here, that the sweeping act of confiscation passed by the council takes from them every acre of land, and all their improvements; and that by the hasty action taken under the law, everything has been sold for the most trivial consideration, improvements which were worth thousands selling often as low as five dollars; and when the repentant rebel party, no more guilty at first than the Roes party, came back and proposed to submit and live in peace and harmony with them again, they were told that they might all return, except their leaders, and go upon new lands and begin the world again; but no hope was held out to them of any restoration of property. They are thus left entirely dependent, being stripped of everything by the act referred to.

The Creeks were nearly divided in sentiment at the opening of the war; about 6,500 having gone with the rebellion, while the remainder, under the lead of the brave old chief Opothleyoholo, resisted all temptations of the rebel agents and of leading men, like John Ross, among the Indians, and fought their way out of the country northward, in the winter, tracked by their bloody feet upon the frozen ground. They lost everything—houses, homes, stock, everything that they possessed. Many joined the United States army. A large number have been constantly subsisted, often with scanty rations, by government. A part having gone this year to the Indian country, have raised some crops under many difficulties, and about one half of those who thus went south again will have enough corn to carry them through the winter; the others must be subsisted by government, while 5,000 are now receiving rations. A large number of the southern Creeks are in the same deplorable state. The aggregate number of the tribe is now stated at 14,396. Agent Dunn says that the buildings of the old Creek agency are in ruins, but the valuable mission buildings are standing, though badly injured. He thinks that a new location should be selected for the agency, at a point where there is water and timber; but as there may be other arrangements made as to the final settlement of the tribe, he suggests that such temporary shelter for the agency as is necessary should now be provided.

The Choctaws and Chickasaws, who now number respectively about 12,500 and 4,500, or 17,000 in all, are supposed to have had a population of 25,000 at the beginning of the war, including 5,000 slaves. They have regularly organized governments and legislatures, written laws, and a regular judiciary system. They possessed admirable schools, and education had made great progress among them. Nearly the whole of these tribes proved disloyal, under the various influences brought to bear upon them. Agent Coleman ascribes their disloyalty, in a great degree, to the influence of the whites living among them, some of whom have had the assurance to apply for licenses to remain in the country as traders; but I am entirely satisfied, as the result of my inquiries when lately in the Indian country, that the disloyal action of these tribes is mostly, if not altogether, to be ascribed to the influence of the then superintendent, Mr. Rector, and the agents appointed by the United States government. The tribes are educated to respect the authority and be guided by the directions of these representatives of the government; and when, in the spring of 1861, these men, appointed under President Buchanan, came back from Washington and told the

Indians that there was no longer a United States government to protect them, that its organization was broken up, and that they must join with the new government, (which by its location and its slaveholding basis would be in sympathy with them,) or be ground to powder, they readily acceded. They now see their error. No men were ever more penitent; and since they learned at the Fort Smith council the wishes of the government, their own council has met and taken prompt action upon the proposition submitted to them, and appointed a delegation to visit Washington to sign a final treaty. This appears more fully in the despatch from General Hunt, commanding at Fort Smith, dated October 24, communicating a letter from Governor Colbert, of the Chickasaw nation, which despatch will be found among the accompanying documents.

Only 212 persons belonging to these tribes are known to have remained loyal to the government. The disloyal portion need some help to get through the winter without suffering, but their country having been held by the rebels all the time during the war, and not traversed by the contending armies, and rations having been issued to them till last March, they have not suffered as much as the other tribes. Two thousand of both tribes are now receiving government rations. I have elsewhere referred to the propositions in regard to a cession of a portion of the Choctaw and Chickasaw lands.

Agent Snow has in charge the Neosho agency, comprising the Osages, and the small bands known as the Quapaws, Senecas, and Senecas and Shawnees.

The Osage lands are in Kansas, and comprise about 4,000,000 acres. In 1859 they had a population of 3,500; the agent thinks that their number does not now exceed 2,800. About 1,000 of the tribe joined the rebellion. Some two hundred and forty of their warriors were at one time in the service of the United States, but left from some difficulty with their officers, and cannot understand the propriety of the rule by which they have forfeited their pay. The report of Superintendent Sells is very full in its information as to the habits and mode of life of this tribe, which is entirely nomadic in its character, using the bow and arrow in the chase, and hunting the buffalo in the ranges southwest of their country. Their special home is near where the Verdigris river crosses the Kansas line. The sad example of the whites, who steal their stock, leads them to retaliate, and frequent collisions and difficulties with the settlers are the consequence. By the recent treaty with this tribe, their factions have become reconciled; and by the cession to the United States of a large body of land, it will be open to settlement, and they obtain from its avails the means of becoming civilized. In view of their nomadic habits, however, Agent Snow suggests their entire removal from Kansas and the neighborhood of the whites, and settlement upon lands in the western part of the Indian country, near the buffalo range; which suggestion I approve, and trust that within a few months their country will be so far at the disposal of the government, through the operation of the treaties now in progress, as the result of the recent council, that these and all of the other Kansas Indians who do not elect to become citizens may be removed into the Indian country.

The Quapaws and other small tribes of this agency, numbering only 670 in all, never showed any sympathy with the rebellion, but came north, abandoning their homes, and continued as refugees upon the Ottawa reservation until last spring, when they were removed to a point eighty miles further south, where they have raised some small supply of vegetables this year. An exploration of their former reservations, just below the Kansas line, exhibited the usual desolation of war; and everything must be provided anew for them. They had attained a fair degree of civilization, and were prosperous and comfortable before the war; and they, like the other loyal Indians, think that the government for which they suffered the loss of everything should in some degree compensate them for such loss. These people all receive rations at present from the United States.

The Catholic mission school at the Neosho agency has been continued in operation, though under great difficulties. On the occasion of the recent visit of Superintendent Sells to the agency, the school had in attendance sixty-five Osage and Quapaw boys, and fifty girls. The Indians regard this school with great favor.

The Wichita agency (Agent Gookins in charge) comprises about 500 Shawnees, absentees from their tribes in Kansas, and who, it is probable, will not return to that State to remain permanently, but who are now in Osage county, Kansas; and the Wichitas and fragments of the Caddoes, Comanches, and others, amounting to about 1,800. These last were, before the war, settled upon lands leased from the Choctaws. They have never had much attention given them by the government, and were driven from Texas by the greed of white men. Thus they have not for years had a settled home. About 1,000 of them are now near Fort Washita, having done but little towards subsisting themselves, a flood having destroyed most of their crops. They are very poor and miserable, and must have help; and they ask to be placed somewhere, where they can feel that they have a permanent home, and go to work in earnest next spring. Rations are issued to 1,400 of the Indians belonging to this agency.

After a careful consideration of the facts set forth in these reports, and from my information obtained while in the Indian country, I am prepared to recommend prompt and liberal action on the part of the government in providing food, and necessary clothing, and shelter, and the materials for commencing early next spring the labor of getting in the crops which must feed them. In regard to food and clothing, the demand is immediate and pressing; as to the other, it must be provided in good time, and the sooner and better it is done, the sooner will the people relieve the government of the necessity of feeding them. It needs no argument—the bare suggestion is enough—to show the duty of the government towards the loyal and friendly portions of these tribes, who have sealed their devotion with their blood; but the necessity is none the less pressing on the part of many of the others. They *must* be fed and clothed, or their sufferings will surely lead them to steal; and difficulties will at once arise, out of which will come the necessity of stationing several regiments of troops in the country, with their concomitants of contractors, supply trains, &c., &c., the cost of which would amount to double what is needed to take care of these Indians till they can be re-established. The principle that it is cheaper to feed than to fight Indians is illustrated daily, and the cost of sustaining a small army in the far west in a campaign against the Indians, or even at posts where no speck of war ever appears on the horizon, is greater than the whole annual expenditure of the Indian department. On every account, then, of patriotism, humanity, and economy, I trust that there may be quick and liberal action in reference to the wants of these Indians.

In regard to the question of compensation of the loyal portion of these southern tribes for their untold losses and sufferings, I do not feel it necessary to use many words. A great many white people have endured severe losses, and undergone great sufferings, by reason of the rebellion; and many thousands of white people in the south have been abused and outraged, and driven from their homes by the demon of civil discord and war; and government has not yet made provisions for compensation in those cases; but our government was under obligations by solemn treaties to defend and protect these Indians; and without discussing the extent of this obligation, it can do no less now than to aid those who are actually suffering for the simplest necessities of life. This is only the dictate of humanity.

For the rest, the Indians must await their time; but when that time comes, their claim will be very strong, and must be heard. If the government will but act promptly in furnishing them liberally with the ordinary necessities of life

now, and with means to make themselves and their families comfortable till they can raise a crop, it will go far to satisfy them that they have not suffered for a government which, in their distress and poverty, the result of their devotion to its cause, and faith in its protecting care, has *forgotten them*.

Whenever, in the progress towards a final settlement of the questions remaining open in regard to the reorganization of the Indian country, the proper time shall come, it will be advisable to provide for the construction of internal improvements in that region calculated to develop its magnificent resources. With a territorial government organized and in operation, its feuds healed, the scars of war gone from view, a judicious educational system in operation, the missionary establishments which have done so much for the people in the past reopened, and the industry of the country in full process of development, will have come a time when railroads must traverse the country, binding its several parts together, and all to one common Union, and giving a choice of markets and depots for exchange and shipment of produce, either on the Gulf of Mexico, say at Galveston, or northward, to connect with the great central converging points of railroads in Kansas. Whatever can properly be done by the government of the United States in paving the way for these improvements should, in my judgment, be done now, and thus avoid difficulties which may arise in the future.

CENTRAL SUPERINTENDENCY.

By the reorganization of the northern superintendency the following agencies have been taken from the central and annexed to the northern, to wit: the Omahas, Sacs and Foxes of Missouri, Ottoes and Missourias, Pawnees, and Upper Platte agency; and the tribes now under the charge of Superintendent Murphy, who succeeded Mr. Albin on the 1st of July last, are the following: Delawares, Agent Pratt; Pottawatomies, Agent Palmer; Sacs and Foxes of Missouri, Agent Martin; Osage River agency, Miamies, and confederate bands of Kaskaskias, Weas, Peorias, and Piankeshaws, Agent Colton; Shawnees, Agent Abbot; Kansas, (or Kaws,) Agent Farnsworth; Kickapoos, Agent Adams; Ottawas, Agent Hutchinson; Kiowas, Comanches, and Apaches, Agent Leavenworth—all of these agencies being in Kansas.

The headquarters of this superintendency have been, until the assumption of the duties of the office by the present incumbent, at St. Joseph, Missouri, but were then changed to Atchison, that being deemed the most convenient point for the transaction of the business of the superintendency.

The location of this superintendency on the border, whence the freighting trains take their departure to cross the plains, has induced the custom of requiring the superintendent to supervise the shipment of the large quantities of Indian goods, annually forwarded to the upper Missouri, Colorado, New Mexico, and Utah, and the tribes in the western portions of Nebraska and Kansas. The experience of the last two or three years has developed irregularities and unreasonable delays in the transaction of this important business, which have received the special attention of this office, and which measures will be taken to avoid, if possible, in future, by insisting upon a strict accountability on the part of contractors for transportation, and, if necessary, by the designation of a special agent to attend to this business alone, under instructions.

There are several interesting questions affecting alike a number of the tribes located in Kansas, which do not at present apply to those in other States or Territories. When the present policy of concentrating Indians upon reservations, and inducing them to turn their attention to agriculture was adopted, a large portion of Kansas was set apart for their use. The advance of the white population, and the gradually increasing attention of the Indians to farming, and their abandonment of the chase, resulted in new treaties, by which the In-

dians consented to take allotments of specified quantities of land for each person, old and young, and that the surplus land should be sold for their benefit; though experience has proved that in many cases the avails of this surplus have been swallowed up by debts acknowledged by the Indians. Out of these allotments have arisen questions as to alienation of and heirship to real property, rights of orphan children, distribution of annuities, &c., which frequently embarrass this office; and among these troublesome questions is a feature in some of the treaties, providing that, under certain conditions, such as naturalization in a United States court in Kansas, upon certificate of a judge that the applicant is fit to take charge of his own affairs, the Indian may obtain a patent for his allotted land, and become invested with the rights of citizenship. Experience has shown that in too many cases this process of naturalization has been attempted upon Indians who are notoriously unfit for citizenship; and to avoid the entire waste of the means of living of the family dependent upon him, this office has been obliged to take the responsibility of declining to carry the proposed arrangement into effect. This subject will be made more clear in subsequent remarks referring to particular tribes. Such general rules have been adopted and promulgated from time to time as have been deemed necessary to guard the interests of the Indians, these rules having in every instance received the sanction of your department.

A question of some interest, as relating particularly to the Indians of this superintendency, deserves some notice here. Complaints were made some months since of difficulties arising, and likely to grow serious, from the habit of Indians, lately returned from service in the army, carrying arms, which they drew and used upon the slightest provocation or excitement. An order was at first issued to disarm the Indians generally, but this was modified so as to require them, when in public assemblies, at payments, or on the occasion of their visiting the towns, to deposit their arms with their agent, receiving receipts therefor. The order, it is believed, has had an excellent effect.

I proceed to notice the several agencies in detail, with such suggestions as occur to me:

Delawares.—The Delaware agent, Mr. Pratt, represents the agricultural operations of the tribe as unusually successful, and in this there appears to be a marked improvement over the previous year; the result being a much better condition of the Indians for the approaching winter. Upon the large and fertile tract which they own, much greater results should have been produced, but their crops, as returned, show 56,700 bushels corn, 2,565 bushels wheat, 10,000 bushels potatoes, besides many other articles of farm produce. The Indians number about 1,000, and maintain fully their reputation for devoted loyalty, having furnished many good soldiers to the army.

Their school is in a flourishing condition, having won very high praise from the superintendent on the occasion of a special visit, and has an excellent effect upon the whole tribe.

The Wyandotts, who are attached to this agency, do not seem to be in as favorable condition as the Delawares, and are desirous of a new treaty, by which they hope to better their condition. A special report on their case will be submitted for your consideration.

Pottowatomies.—The census of last June showed the population of this tribe to be 1,874, being a decrease of 404 within a year. Most of this decrease is accounted for by Agent Palmer, by the absence of about forty members of the tribe, who went south some months since to hunt and support themselves beyond the restraints of civilized life; and of a much larger number who are said to be wandering about in Iowa and Wisconsin. A considerable number of Pottawatomies, supposed to be a portion of those belonging in Kansas, have been heard of recently as being in the northern part of Wisconsin. The agent for the wandering Wisconsin Indians, Mr. Lamoreaux, who was sent to make in-

quiries as to this party, reports them as doing no harm, and creating no bad feeling among the settlers, but the earliest possible means will be adopted to return them to their proper places. The shiftless conduct of this portion of the tribe, known as the "Prairie band," is very prejudicial to the interests of the remainder, the majority, who have taken allotments and settled down to farming; while the others refused to do so, and had a tract set apart for their use in common. This, however, as is mentioned above, they have abandoned; and it may, perhaps, be well to remove them entirely, and settle them further south, when the way is opened for that purpose.

Agent Palmer represents the settled portion of the tribe in very favorable terms, and, as the result of their farming operations, that they are "as independent as their white neighbors," having raised 64,000 bushels corn, besides other large crops, and owning 2,200 horses, 1,600 cattle, &c. As they become assured of the permanent ownership of their lands, they have become more settled and industrious. This tribe has furnished seventy-one soldiers for the United States army, and the agent states that a large percentage of them have died in the service.

The school (St. Mary's mission) appears to be admirably conducted, and a very efficient help in educating the Indians, not only in the branches usually taught in schools, but in agriculture and the arts of housewifery, and habits of industry generally. The teachers are desirous to accommodate more pupils, who are anxious to receive the benefits of their care and labor, and measures will be taken to make the civilization fund provided by Congress available for this purpose.

The treaty with this tribe provides that, on application to the department by Indians who have taken out certificates of naturalization in the Kansas courts, they shall receive patents for their lands, and their *pro rata* share of the funds of the tribe, and become citizens of the United States. Under this provision about 150 applications for patents, &c., have been made to this office; but on careful inquiry it was found that gross carelessness (or worse) had occurred in furnishing the certificates of good conduct, sobriety, and ability to conduct their own affairs, which certificates were a necessary preliminary to naturalization. The whole matter has undergone a careful examination, and, with your concurrence, a policy has been adopted which will, it is hoped, secure the real interests of the tribe. It has been decided to issue patents to such only as are certified by both the agent and a business committee, (appointed by the tribe to conduct its affairs, and composed of its best men,) to be thoroughly fitted for citizenship and the control of their own affairs, and patents are now in preparation for about fifty who come up to this standard; others will be furnished with patents as soon as they come up to the standard. In regard to the capitalization of their annuities and other funds, it is found that an appropriation by Congress for that purpose, of such amount of the tribal funds as is necessary, should be made before it can be paid to the persons entitled to it. A special report will be prepared and laid before you, showing the number of persons entitled to their *pro rata* share of the funds, and the amount necessary to be appropriated for the purpose.

Sacs and Foxes of the Mississippi, and Chippewas and Munsees, or Christian Indians.—Agent Martin reports the Sacs and Foxes under his charge as exhibiting a decided improvement morally, being more quiet and peaceable, more industrious, and willing to contribute something for education, their treaty laying aside nothing for the purpose. They number 805, being a decrease of 86 since last year, a fact for which the agent is unable to account. They have personal property estimated at \$71,900, and raised this year 7,500 bushels of corn, besides other produce. Considering the means available, their school has been reasonably successful.

The Chippewas and Munsees are a small tribe, numbering only 80 persons, occupying their lands in severalty upon a small reservation, and are quiet and industrious, owning property to the amount of about \$10,000. They have a good school, and are favorably situated in every respect.

The largest portion of the extensive reservation of the Sacs and Foxes has been sold at public sale, the funds realized being, however, swallowed up in the payment of certificates of indebtedness of the Indians, the tribe having withdrawn to a diminished reservation, which, however, still greatly exceeds their necessities, if they can be induced to turn their attention more to agriculture.

The Chippewas and Munsees, having a small portion of land outside of their allotments, and more than they need, have expressed a desire that it shall be sold for their benefit. Steps have been taken to appraise this land, amounting to 1,428 acres, preparatory to a public sale.

Ozage River agency; Miamies, Kaskaskias, Peorias, Weas, and Piankeshaws.—These Indians, under the charge of Agent Colton, are considerably advanced in civilization, and live upon land held in severalty. The Miamies number only 127, and own property averaging about \$120 to each individual, apart from the land valuation. But a small portion of their land is under cultivation, the amount being stated at fifteen acres for each family, but the people maintain themselves comfortably. The agent represents that the progress of improvement has been slower than usual, on account of the disturbed condition of affairs upon the border during the war. The Miamies pay great attention to the education of their children, and contribute largely of their own means for their maintenance at good schools, and they desire to be allowed to set apart still more of their funds for the purpose. They have some trouble resulting from trespasses of unauthorized persons upon their surplus land, and are desirous to effect a sale of it.

A question of much importance to the Miamies is undergoing investigation, having reference to an alleged wrong done to them by the setting apart of some 14,000 acres of land and \$15,000 in money for certain Miamies of Indiana, the Kansas Miamies alleging fraud in the list of persons, &c.

The Peorias and other tribes confederated with them number 236 in all, and own personal property to the average value of \$140 per each individual, and cultivate an average of 20 acres to each family. The Indians of this agency have raised this year nearly 40,000 bushels of corn, and own 600 horses, 750 head of cattle, and 1,100 hogs.

A great defect in the treaty made with these Indians is that the lands allotted to individuals, when patented to them, were patented for whole families in the name of the heads of those families; and as the restriction upon alienation of land only applied to one-half of the amount patented, the result has been that the share of the children has been sold by the fathers in many cases. As a further consequence, orphan children, who were placed in families here and there for enumeration and allotment, lose their proper and just share of land. In regard to the orphan children, the case has a worse aspect, for in most cases the families with whom they are placed care only for them so far as to get their annuities. The agent has suggested, and, to the credit of the leading men of the tribe, they desire, that measures shall be taken to have these orphan children placed under legally appointed guardians, who shall, under proper bonds, take charge of them and see that they are properly educated and maintained till of age, when their accumulated annuities would give them a fair start in life. This whole subject has been referred to the superintendent for investigation and report as to the practical method of bringing about the desired reform.

Kansas, or Kaws.—This tribe, under charge of Agent Farnsworth, numbers 631 persons, showing a decrease of 70 since last year. The agent ascribes the gradual decay of the tribe to the pernicious habit of intermarriage of relatives, and to dissipation. The people are well disposed towards the whites, friendly

and loyal, (the latter characteristic shown by their having furnished 84 soldiers for the army, of whom 24 have died,) but they do not appear to appreciate the benefits of a settled life, and care little for education. The Friends, mission school upon the reservation is, however, reasonably successful with the limited number of children who will attend, and some thirty are able to read in English.

This tribe spent the early part of the season in the buffalo country, and had a successful hunt, from which they returned to put in their corn crop, which was also successful.

Nothing of special interest has occurred relative to these Indians since the last report, except a kind of negotiation entered upon, and carried forward with every pretence of solemnity by some of their chiefs with the Pawnees, having reference to the return of certain horses stolen from the Kaws by the Pawnees. The latter tribe were profuse in their joy at the idea of making peace, but reticent of horses. They, however, succeeded in finding a few, which they were ready to return; whereupon the Kaw agent refused, on their behalf, to receive these horses, unless the remainder were returned. The agent was instructed to receive the instalment, and the Pawnee agent to return the remainder when found.

Kickapoos.—Agent Adams represents this tribe as numbering 238 persons on the reservation, including a number of Pottawatomies, who, a few years since, purchased a right to share the head-rights and annuities of the Kickapoos. Only thirty families were found willing to accept separate allotments of land, and they are doing well. The remainder reside upon a diminished reserve, held in common, there being also reserved a sufficient quantity of land for 120 Kickapoos, who have for a long time been absentees from their tribe, and in regard to whom it is rumored that they have been destroyed in an encounter with the wild Indians of the southwest. The remainder of the lands of the tribe, amounting to 123,832 acres, has been disposed of at \$1 25 per acre, in accordance with the terms of treaty, to the Atchison and Pike's Peak Railroad Company; and the interest upon the purchase money will furnish a handsome income for the tribe. No school now exists upon the reservation, the mission school which formerly existed having been abandoned, but the agent promises a special report, with a plan for its re-establishment. The crops raised by the tribe are abundant for their support.

Ottawas.—None of the Kansas tribes have advanced in civilization with greater rapidity or certainty than this, and they are independent and self-sustaining, and will soon assume the position of citizens of the United States, and abandon their tribal relations entirely. Many of them are doing very well as farmers, and are independent of all outside aid. They number two hundred in all, their loss of some thirty by small-pox, besides deaths from other diseases, having been made up by accessions to their number from the Ottawas of Michigan. They have made excellent provision for educating their children, and an extensive building is in progress, aided by large contributions from white friends. Sales of their lands, aside from those reserved for educational purposes, have amounted to about \$10,500 during the past year.

Kiowas, Comanches and Apaches.—Although the headquarters of this agency is in Kansas, it is rather an independent agency, reporting directly to this office. The Indians have no reservation, but were entitled, under treaty stipulations, to a periodical distribution of goods, and after receiving these goods, left for their various places of resort. Their agent, Colonel J. H. Leavenworth, has for a long time possessed their confidence, and by his influence over them they have, for the most part, if not entirely, abstained from all hostilities or interference with travel over the Santa Fé road. A portion of those who escaped from the Chivington massacre took refuge with them, and they have had many temptations to join the other Indians of the plains in their hostilities. Various communications from their agent, dated at Crow Creek ranch, sixty miles west of Fort Larned,

during the last spring, assured this office that the Indians had promised him to keep away from the emigrant road, and abstain from hostilities; but it was only by great efforts, in which the agent was assisted by Hon. J. R. Doolittle, then acting as one of the congressional Committee of Investigation into Indian matters, who was furnished with special authority from the department for the purpose, that a collision between these Indians and the military was prevented, and an arrangement was finally made by which a formal conference for treaty purposes was agreed upon, to take place on the 4th of October, instant, and for which purpose a mixed commission of civilians and military officers was appointed to attend on the part of the government. This commission comprises the agent, Colonel Leavenworth; the superintendent of the Kansas tribes, Thomas Murphy, esq.; James Steele, esq., detailed from this office; Brigadier General Sanborn, commanding the military district; and Major Bent, an old resident of the Indian country. Major General Harney, of the commission to the southern Indians, was also present as a commissioner with this party. The party from Leavenworth left that place late in September, taking with them a large amount of goods provided for these Indians under the treaty, but which had been retained pending the question as to their connexion with the hostilities upon the plains.

The Kiowas had in 1862 an estimated population of 1,800, the Comanches 1,800, and the Apaches 500, making 4,100 in all, included in this agency.

With these Indians are a large number of Arapahoes and Cheyennes, parties to the treaty of Fort Wise, although a portion of them fled northward after the Sand Creek massacre, and joined their people connected with the Upper Platte agency.

Several communications have been received from the commission *en route* to, and since their arrival at the place of rendezvous, which appears to have been finally fixed at a short distance above the mouth of the Little Arkansas river; and, under date of October 23, General Sanborn telegraphed that a treaty had been concluded with the Arapahoes, Cheyennes, and Apaches, and that the Kiowas and Comanches had sent out runners to bring in several white captives which they held, and that on their return a treaty, the terms of which had been agreed upon, would be concluded with the last-named tribes.

By later advices, which have just been received, I learn that the prisoners alluded to had been brought in, and a treaty had been concluded with the Kiowas and Comanches, the Apaches preferring to join with the Arapahoes and Cheyennes, by which they have agreed to accept a reservation south of the Arkansas river, and leave unmolested, so far as they are concerned, the great travelled routes across the plains. So soon as I am in possession of all the facts I will lay this treaty before you, with a special report.*

NORTHERN SUPERINTENDENCY.

As constituted at the date of the last annual report from this office, this superintendency comprised the various bands of Chippewas in Minnesota and Wisconsin, together with the Sioux and Winnebagoes who had been removed to the reservation at Crow Creek, in Dakota Territory; the Winnebagoes, however, having already migrated to the Omaha reservation, in Nebraska Territory. The headquarters of the superintendent were at St. Paul, Minnesota, Clark W. Thompson, esq., being the incumbent of the office. Early in the last summer changes were made, by which the agencies at Bayfield, Wisconsin, for the Chippewas of Lake Superior, and at Crow Wing, Minnesota, for the Chippewas of the Mississippi, &c., became independent, and reporting directly to this office; and the Sioux remaining at Crow Creek were transferred to the Dakota superintendency; and the northern superintendency as now constituted,

* For report of this commission see Appendix.

having its headquarters at Omaha, Nebraska Territory, under E. B. Taylor, esq., comprises the following tribes and agencies, all in Nebraska, to wit:

Omahas, Agent Furnas, at Omaha agency, estimated population 1,000.

Winnebagoes, Agent Matthewson, at Omadi, occupying a part of the Omaha reservation, estimated population 1,900.

Ottoses and Missourias, Agent Daily, at Dennison, population 708.

Sacs and Foxes of Missouri and Iowas, (or Great Nemaha agency,) John A. Burbank agent, population 389.

Pawnees, Agent Wheeler, at Genoa, population 2,800.

Sioux, Arapahoes, and Cheyennes, of the Upper Platte, at Fort Laramie, Agent Vital Jarrot, population estimated as follows: Sioux, (Brulés and Ogalalas,) 7,865; Arapahoes, 1,800; Cheyennes, 720—total, 10,385.

The total Indian population in the superintendency is thus estimated from the latest sources at 17,182. I proceed to notice such matters in regard to each of the above tribes and agencies as are deemed worthy of special remark.

Omahas—From the annual report of Agent Furnas, as well as from a special report made at an earlier date by the superintendent, we obtain the most satisfactory information in regard to this tribe. Located upon an ample reservation of good land, and well disposed to the pursuits of agriculture, the Indians have cultivated nearly one thousand acres during the present year, with such success as to raise enough for their own use, with a surplus for sale. Their school, under the charge of missionaries of the Presbyterian Board of Missions, appears to be doing great good, though receiving a much less number of pupils than the joint contributions of the tribe and the mission board would seem to provide for.

The tribe appears to be satisfied with the terms of the treaty made last spring, by which they cede to the United States a portion of their reservation for the use of the Winnebagoes, and are impatient to realize the purchase-money, in order that a portion of it may be used for their permanent benefit. They have so far advanced in civilization as to begin to desire separate allotments of land, so that they may feel that the products of their industry are their own. Sundry complaints made by the chiefs to the superintendent at the time of his visit to them have been made the subject of examination by this office, and explanations made and such grievances redressed as were in the power of the office to redress. It was found that the mill had not been run, nor certain employes kept in service, for the full time provided in the treaty, and the agent has been directed to continue them in service. The Indians have a just cause for complaint in certain depredations upon them by the hostile Sioux, and the government having failed to protect them, they ask compensation from Congress. A special report upon this subject has been called for from the agent, and when received will be laid before you.

Winnebagoes.—I regret that I am unable to report much improvement in the condition of this unfortunate tribe since the last annual report. Full details as to their condition, wants, and suggestions for their benefit, are furnished in the accompanying reports, and your attention is particularly invited to the special report of Superintendent Taylor. The urgent request of the chiefs for a change of agent has been granted, and such measures have been taken as will, it is hoped, render the people more comfortable than hitherto, and enable them still to support, with the commendable patience which has thus far characterized them, the necessary privations and troubles incident to their unsettled condition, until Congress can ratify the treaty providing for their permanent settlement upon the Omaha reservation. This I earnestly hope will be done at an early day, so that preparations can be made at the first opening of spring for the necessary work towards establishing them in comfortable quarters, and enabling them to support themselves by agriculture as soon as possible.

I doubt whether there is another tribe of Indians in the country—indeed I doubt whether there is an equal number of white men—who would have sub-

mitted patiently, as these Indians did, to be taken from their homes and farms in the "very garden of Minnesota," as it has been called, where they were independent and happy, and always friendly to the whites and loyal to the government, and transferred to a region from whence they were compelled to migrate or starve; and to continue thus without homes, and in the condition of paupers for three years. With the ratification of the treaty referred to, and such legislation as may be deemed necessary by Congress, we may look for better things. The resources of the tribe, with their industrious habits, when once a place is found for their application, are sufficient to place them in comparative comfort, and it will be the duty as well as the pleasure of this office to aid this interesting tribe by every means in its power.

Connected with this tribe are a number of persons who, being residents of Minnesota at the time of the semi-compulsory removal of their brethren, refused to leave their homes. Their case has recently been brought to the attention of this office, and, with your concurrence, the parties have been assured that their lands shall be secured to them.

They ask also that their share of the property of the tribe shall be paid to them at one payment, so that they may have the benefit of it upon their farms, and release the government from further liability to them. If practicable, I beg leave to suggest that provision might be made for these Winnebagoes by a special act of Congress, so that the treaty with the tribe may not be delayed by amendments requiring the delay involved in a submission to the tribe.

You will not fail to observe the request of the tribe, approved by the agent, for the addition to their proposed reservation of a small strip of land well adapted for farming, and convenient for their agency. A special report upon this point will be made by the present agent.

Ojiboes and Missourias.—The reports from these two tribes, under the charge of Agent Daily, are decidedly favorable as to their peaceable and sober conduct and increased attention to farming. Failure in their hunt last year drove them to cultivate more land this year; but the agent fears that their successful hunt this season may again draw them from their fields.

Their excellent crop, however, has this year so encouraged them, that there are good hopes of their settling down to the pursuits of agriculture; and the expiration of the time when they can, under their treaty, have the benefit of the aid of a farmer and other employes, makes it quite necessary that they should labor for themselves. This they appear quite ready to do. Some 12,000 bushels of corn have been raised at this agency this year, of which nearly half was by the Indians themselves.

There is now no school upon the reservation, and the treaty provides for none. I shall endeavor to interest some of those who have been most successful in teaching the Indians, in the re-establishment of a school for these tribes, in order that their children may not grow up in ignorance.

Sacs and Foxes of Missouri and Iowa.—Agent Burbank, who has these Indians in charge, makes a very favorable report as to the latter and more numerous tribe, the census showing a population of 294. As evidence of their loyalty, it appears that no less than forty-three of their number have been enlisted in the army of the United States during the late war, and those who have thus served have been commended by their officers as good soldiers. What is more and remarkable, they have come out of the army able to speak English well, and with hearts not spoiled by dissipation, earnestly desirous to live like white men, cultivating the soil. Those who remained at home cultivated the fields for the families of the soldiers, and with the aid of the returning braves a handsome crop was harvested. The chiefs desire that a liberal share of the tribal annuities should be expended in agricultural implements to enable these soldiers to make further progress in civilization by means of agriculture; and they express a de-

sire to have their treaty so amended as to enable them to allot their lands in severalty and become citizens. The agent does not regard the school as a very successful one, on account of the irregular attendance of the pupils.

The Sacs and Foxes are but a small tribe, numbering but 95 persons, and occupy some twenty-five sections of land. They make but poor progress in civilization, being represented as lazy and shiftless, and have raised but little for their own support this year. Of course they are negligent of the interests of their children, and will not send them to school.

Both of these tribes will be permitted to send delegates to this city during the coming winter, and it is hoped that satisfactory measures for their improvement may be devised.

Pawnees.—This tribe, numbering now 2,800 persons, has for a long time been friendly to the whites, though enjoying a high reputation among their own race for their skill in possessing themselves of the property of others. It is gratifying to know that their character for honesty is much improved of late years, as a natural consequence of their improvement in civilization, and accumulation of home comforts by their own labor on their reservation.

During last winter eighty-seven of their braves were regularly mustered into the United States service as scouts, and employed in the military operations on the plains; and a still larger number is now in the government service against their old enemies, the Sioux. The superintendent, in his visit to the agency in September, found that the tribe had returned from a successful summer hunt, and were harvesting a fine crop, raised by themselves upon the excellent land of their reservation; and their condition for the winter was expected to be favorable to their comfort. The superintendent found that affairs at the agency proper were not in so satisfactory a condition, the late agent not having, for reasons stated in the special report of the superintendent, attended to the raising of any crop upon the agency farm; the consequence being that grain and other supplies must be purchased for the use of the employés.

It is suggested that the steam mill provided by treaty causes a useless expenditure of money, and that a fine stream in the immediate vicinity may be availed of for running a mill by water-power, which will save the salary of an engineer and laborer, as well as a large consumption of fuel. Although the treaty provides for a steam mill, the benefit to be derived from this change is so apparent, that I think a diversion of the funds for this object would be proper, and have no doubt the Indians would gladly consent to it.

The posting of a company of United States troops at the agency has given the employés as well as the Indians a sense of security which they have not enjoyed for several years, and protected the latter during their hunt. The present agent, Mr. Wheeler, represents the Indians as desiring that their annuity provided for in goods by treaty be given to them in money, to be expended by their agent for agricultural implements. This office will take pleasure in carrying into effect, so far as is practicable, this laudable desire of the tribe.

The manual labor school-house, which has been in course of construction for parts of the two years past, is nearly completed, though it has not been formally accepted. It has cost a large sum of money, and there are deficiencies in its construction, and irregularities connected with the operations of the late agent and the contractors, into which an investigation is being made. It has been deemed advisable, however, to remove the scholars to it from the unhealthy quarters where they have been, and it is intended to provide at the earliest possible day for at least one hundred children at the school. Great hopes are entertained by the better class of the Indians of the good to be done by this school, and there is now some prospect of their being realized.

The agent recommends an appropriation of \$100 to satisfy with presents, in a manner approved by this people, the relatives of a Pawnee who was, not

long since, murdered by some unknown white man, and this request will be granted.

Indians of the Upper Platte.—Early last spring, it being then understood that peace could probably be made with the Sioux, Arapahoes, and Cheyennes, who had been and are confederated in hostilities upon the emigrant route over the plains, the late Secretary of the Interior deemed it advisable to send an agent to the then abandoned agency at Fort Laramie; and Mr. Vital Jarrot, who from long residence among the Indians, and their known friendly disposition toward him, was supposed to be peculiarly well adapted for the mission, was sent out with instructions to attempt a negotiation, acting in concurrence with the military officers of the district. On his arrival at or near his post, however, he found an active campaign going on against these Indians, who had been already driven far to the north and west. The campaign against them has been a severe one, and entailed very heavy losses upon them, as well as great expense upon the government; and it is to be hoped that the punishment of the Indians will be sufficient to compel a peace. At the same time, it must be confessed that these hostilities are doubtless protracted and bitter in proportion to the sense of wrong felt by the refugees from the Chivington massacre of last fall, who have gone north among these tribes. It will be long before faith in the honor and humanity of the whites can be re-established in the minds of these barbarians; and the last Indian who escaped from the brutal scene at Sand creek will probably have died before its effects will have disappeared.

Hopes are entertained that representatives of these Indians, authorized to speak for them, may be present at the council to be held at Fort Sully, on the Missouri, inasmuch as they were, with the Upper Missouri Indians, represented at the Fort Laramie treaty. If such attendance cannot be secured, the arrangement anticipated as the result of the military campaign must be postponed till the next spring.

From the latest advices from the region of hostilities, it would appear that so far as the Indians especially belonging to the Fort Laramie agency are concerned, the campaign against them is one tending towards extermination; and Agent Jarrot has been directed to return to his post, to be at hand in case anything can be done by him, in concert with the military, for such of the Indians as remain. Agent Jarrot is decided in the expression of his opinion that there have always been many of the Sioux and Arapahoes who would have been glad to make peace if their lives would have been safe in approaching the posts; but he thinks the Cheyennes so exasperated that they will almost suffer extermination rather than submit.

I feel confident, however, that when these Arapahoes and Cheyennes learn the terms of the treaty negotiated with their brethren on the Arkansas, and when they know, as they will from the proceedings of that council, the merited and unmeasured condemnation bestowed by the government upon the Chivington massacre, they will bury the tomahawk and accept the proffered peace.

GREEN BAY AGENCY.

The annual report of this agency is, as usual, punctual as to time and full in information. The tribes under charge of Agent Davis are the Menomonees, Oneidas, and Stockbridges and Munsees.

The Menomonees number one thousand eight hundred and seventy-nine, having increased to some extent since last year, notwithstanding the ravages of the small-pox the past summer, and the death, in battle and in hospital, of about one-third of the one hundred and twenty-five men whom they have furnished to the United States army, enlisted in Wisconsin regiments. Their reservation, although of abundant extent, is not well adapted for agricultural pursuits, unless by clearing out farms in heavy-timbered lands, which has been

done to some extent, and considerable produce has been raised. Depredations upon the timbered (pine) lands of the tribe have been made to a large extent by whites, and the agent has taken the necessary steps to prosecute the guilty parties, and recover for the tribe the value of the timber.

There were one hundred and fifty cases of small-pox among the Menomonees, the ravages of the disease being greatly increased by the conduct of a priest, as stated by the agent, in insisting upon taking to the church the bodies of the deceased, and holding services over them in the presence of a crowd of the people. This practice was only terminated by the expulsion of the priest from the reservation. Some eight hundred of the Indians were vaccinated, and the disease was after a time stayed, but the agricultural operations of the people were much interfered with. In other respects, referred to by Agent Davis, the conduct of the same priest has been reprehensible and prejudicial to the interests of the tribe; and measures will be taken towards an improvement in this respect. While there is no disposition on the part of this office to interfere with the rooted religious prejudices of Indian tribes who have long been accustomed to the ministrations of particular denominations of Christians, a just control over these matters must be maintained, where the interests of the Indians clearly require it.

The schools upon the reservation are under the charge of devoted Catholic women, who have been long in the service, and are doing much good. The blacksmith employed for the tribe is a native Menomonee, and does his work well.

An interesting question as to the right of the State of Wisconsin to the 16th sections in the townships comprising this reservation, which has been in dispute for some time, has been decided in favor of the Indians by the department.

The Oneida reservation is near Green Bay, and includes an abundance of good land, which is availed of to a very limited extent by the Indians. Their vicinity to several thriving towns, where they are readily supplied with liquor, has had a bad effect upon them. Many of them find it easier to cut and sell the timber from their reserve than to engage steadily in farming; and the best among them, having no allotments of land, have not that incentive to effort which a home of their own would give them. I propose, with your concurrence, to endeavor to bring about an improvement in this respect. The Oneidas furnished one hundred and eleven men for the United States army, their total population being one thousand and sixty-four by the last census—a decrease of fifty-seven since last year. Their crops have furnished them a sufficient subsistence. The small pox prevailed among them to some extent, there being forty-three cases and fifteen deaths by that disease.

They have two schools, one under charge of the Methodist, and the other the Protestant Episcopal church, the reports of both schools being herewith. Recently, application has been made by a native Oneida, educated at a college in Wisconsin, for the appointment as teacher of the first named of these schools.

The Stockbridges and Munsees, being the remains of the tribes formerly settled on the east side of Lake Winnebago, and who declined to take allotments and abandon their tribal relations, were placed upon a reservation of two townships on the west end of the Menomonee reservation as at first established. They number 338 persons, but at latest dates only about one-half of them were upon their reservation, the remainder being absent among the white settlements, employed by the farmers as laborers.

They justly complain that the lands given to them are poor and barren, and unfit for their use. They are an industrious people, and would do well upon good lands, and be entirely independent. Out of their small population they had 43 soldiers in the United States army. Their school has been successful during the year.

Last winter, Congress provided, by a section of the Indian appropriation bill, that any of these Indians might select 160 acres of the public lands as a home-stead; but, the subject having been brought to their attention by the agent, they have, as a tribe, declined to avail themselves of the privilege, alleging that they have not the means to remove upon and work such new farms. Many of them are desirous that their lands in Wisconsin, which are valuable for their pine timber, may be sold, and a new home provided for them in the southwest. It is probable that such an arrangement can be made to advantage as soon as treaties are completed with the tribes occupying the country south of Kansas. In such case, doubtless, many of the tribe would decide to take the portion of the lands offered to them in Wisconsin, and with their proportion of the funds of the tribe open new farms and become citizens. The loyalty and good conduct of this tribe deserve the favorable consideration of the government.

AGENCY FOR THE WINNEBAGOES, POTTAWATOMIES, ETC., IN WISCONSIN.

No report has been received from this agency. The Indians comprised within it are wandering bands, having no settled homes; and who, having refused to remove west with their tribes, obtain a precarious subsistence by hunting, fishing, gathering berries in their season, and by begging, in the northwestern counties of Wisconsin. Congress in 1864 provided a special agent to take charge of them, and made an appropriation for their relief. They number some 1,500, their aggregate having, it is supposed, been increased this year by the addition of some 350 Pottawatomies, who have wandered thither from Kansas and Iowa.

CHIPPEWAS OF THE MISSISSIPPI.

At this agency, at Crow Wing, Minnesota, Agent Clark has in charge the various bands of Chippewa Indians of that State, comprised under the following classifications: Chippewas of Mississippi, numbering about 2,050; Chippewas of Red Lake and Pembina, about 2,000; Pillager and Lake Winnebagoish bands of Chippewas, population last year 1,966—total, 6,016.

No report has been received from the agent—for what reason does not appear; and we are unable to present any statistics as to the condition and progress of these tribes, many of whom are industrious, thriving farmers. Last year they made and harvested a large quantity of maple sugar and wild rice, besides selling furs to a considerable amount. By recent treaties with two of the classes of tribes above mentioned, provision was made for the expenditure of a large amount of money in their behalf, in addition to the sum previously due to the Chippewas generally; and the removal of the agency establishment to a point further north and more central has been determined upon. Agent Clark some time since submitted a report with plans for the proposed buildings, upon a designated location near Leech lake; but action in the matter awaits the report of a special agent, who has been directed to make more particular inquiry as to the site and plans proposed. The large amount disbursed at this agency makes it one of the most important in the service, and I very much regret that, by the neglect of the agent to forward his report, I have no means of presenting a full statement of its condition.

CHIPPEWAS OF LAKE SUPERIOR.

This year, as well as last, the annual statement of Agent Webb fails to reach us in time to be made available for the annual report of this office. The Indians of this agency are all Chippewas, residing on and about reservations in northern Wisconsin, and number about 4,500. They have their farms and schools, receive annually a considerable sum of money, besides having the benefit of the labors of sundry employes of the government, and ought to be in a comfortable condition, but we have no data to show it.*

* For Agent Webb's annual report, see appendix.

MACKINAC AGENCY, MICHIGAN.

The annual report of this agency has but this moment been received, and too late for special notice. It will be found among the accompanying documents. From the statistics at hand, and which form a part of this report, we learn that the various tribes and remnants of tribes connected with the agency, and scattered along the shores of Lake Superior and at other points in Michigan, have had a very prosperous year. The various tribes and bands are classified as follows, with the more important footings of the tables referring to each:

Chippewas of Lake Superior: population, 1,058; individual personal property, \$24,900; two schools, with 91 pupils. Ottawas and Chippewas: population, 4,923; property, \$257,822; twenty schools, with 578 pupils. Chippewas of Saginaw, &c.: population, 1,581, property, \$7,691; six schools, with 214 pupils. Chippewas, Ottawas and Pottawatomies: population, 287; property, \$39,080; two schools, with 9 pupils.

These Indians have furnished 196 soldiers for the United States army. A large number of them are far advanced in civilization, fully deserving of and actually exercising the rights of citizenship. They are peaceable and industrious to a great extent, as is shown by the following aggregates of the principal crops raised, viz: 8,249 acres cultivated, producing 2,877 bushels wheat, 28,390 bushels corn, 88,492 bushels potatoes, 453,252 pounds maple sugar, and 9,877 barrels fish for sale, besides the quantity used for themselves; and have sold \$54,000 worth of furs.

They own and occupy 883 frame and log houses, and have, as is seen above, about 900 of their children at their numerous schools, taught for the most part by the self-denying missionaries of various denominations, who have long labored among them with success. For other interesting details I must refer to the report of the agent, not having time to make a summary of them.

NEW YORK.

The annual report from this agency is very unsatisfactory as to details, the agent, Mr. Rich, having depended for his statistical information upon the persons engaged by the State of New York in taking the census, who have failed to furnish him with the information in time for this report. This is very much to be regretted, as there are no full and reliable statistics of the agency since 1862. By a careful census that year the total population of the New York Indians was found to be 3,958. Of that number, the principal tribes, the Senecas, upon their reservations, Cattaraugus, Allegany, and Tonawanda, had a population of 2,854. A census of the Senecas in 1863 gave their number at 2,988, an increase of 134.

It is not probable that there has been any increase, and the present population of the "Six Nations," which now includes Senecas, Cayugas, Onondagas, Oneidas, and Tuscaroras, is probably about the same as in 1862, as given above. In that year these Indians had in operation nineteen schools upon their various reservations, including the mission schools and those organized under State laws, and 661 pupils were in attendance. The value of personal property belonging to individuals that year was estimated at \$262,500. This has doubtless largely increased.*

Agent Rich reports the Indians as paying increased attention to their farms, and, in many cases, doing in every respect as well as their white neighbors; and that their schools seem to be prosperous. The annual distribution of annuity money and goods has been made and accounts returned, the Oneidas expressing a desire to have the value of their goods in money hereafter.

There is some evidence that the influential men among these Indians, who

* For statistics of N. Y. agency, see appendix.

last year succeeded in preventing an arrangement with the government by which the claims of their people on account of Kansas lands should be settled, have come to a sense of the folly of their conduct at that time, and a petition has been received from many of them asking that action may be taken by the government in the matter, by the appointment of a commission to settle their claims. They have been informed that the subject is under advisement. I recommend an early consideration of this case, so that the long-pending claims of this people may be fully and fairly adjusted.

The only school report forwarded is that of the Thomas Orphan Asylum, which receives aid from the civilization fund to the amount of \$1,000 annually. The wisdom of the expenditure is fully confirmed by the success of the school, which is under charge of the Society of Friends, and appears to be doing great good. Its average number of pupils has been fifty-three, during the year ending September 30.

FINANCES.

It is unnecessary to call your attention to the evils arising from the anticipation of appropriations in making purchases of goods, and otherwise providing for the Indians, but I deem it my duty to allude to a state of facts that, in some cases, seems to have rendered such anticipation necessary.

In certain treaties which I have specified in the report accompanying my annual estimates it is contemplated that the appropriations be made by the calendar year. They are made by the fiscal year commencing six months later, and this brings them half a year behind; and the department is compelled either to anticipate the appropriations, or be guilty of a breach of faith with the Indians. I have, therefore, in my estimates, called for an appropriation of one instalment in advance under these treaties.

The large emigration to the western Territories, caused by the development of the great mineral wealth of those regions, is fast circumscribing the range of the Indians and driving them from their ancient hunting-grounds. The expense of taking care of the Indians, and maintaining peace between them and the settlers, is thus necessarily much increased, and the amounts appropriated for the current fiscal year for some of the Territories will fall short of the necessities of the service. In the case of Utah, I found, on assuming my position here, that the entire amount appropriated for general and incidental expenses there had been exhausted, and over \$3,000 had been expended in excess of the appropriation; and of the appropriation of \$25,000 for Nevada, but \$4,921 93 remained on hand at the beginning of the fiscal year. In both these cases, too, there are claims outstanding which the department has not the means to pay.

The accompanying table will indicate the amounts drawn prior to July 1, 1865, from appropriations for the current fiscal year. This shows that \$185,622 43 was anticipated from appropriations under treaties, and \$115,520 02 from miscellaneous appropriations.

Whether all these anticipations were necessary, or whether any of them should have occurred, need not now be discussed. So long as I am at the head of this bureau I shall not deem it proper in any case to anticipate appropriations; but to prevent suffering among the Indians, to insure peace between them and the whites, and to prevent embarrassments to the service, I respectfully ask that the attention of Congress be called to the existing state of facts as early as practicable in the coming session.

I also desire to call your attention to the fact that, under treaty stipulations with various Indian tribes in Oregon and Washington Territories, the amounts appropriated now are the same as before the war, when the payments were made in coin. The consequence is, that in many instances the appropriations are not sufficient to enable the officers of the department to procure the services of the employes provided for by the treaties.

STATISTICS.

Such figures as have been returned by the various superintendents and agents in their annual and other reports are presented in the accompanying tables. In regard to population, I have endeavored, from the best sources of information at hand, to make the statement complete, and where figures, from actual enumeration, have not been returned, have given estimates. The aggregate number of Indians living within the limits of the United States is thus shown to be about 308,000, and this will not vary far from the actual number.

I have to repeat the annual complaint of the imperfection of our tables of statistics. If the agents could by any means be induced to obey the injunction of this office to make these returns faithfully as to every item called for, and promptly as to time, I should be able to judge very clearly, from the returns as to each tribe, and from the grand totals, from year to year, of the success or failure of the measures adopted for the benefit of the Indians; but so long as a large number of agents habitually neglect their duty in this respect, and either send no tables, or forward imperfect or deficient reports, or fail as to the time of making their reports, so long must the annual tables fail to be satisfactory.

Meagre and deficient as our columns of statistics are, it will be seen, on comparison with the aggregate of last year, that there is a decided increase in almost every item of crops raised and property owned as the result of Indian labor, and work done in their behalf. For particulars, I refer to the tables herewith, in relation to farming and educational operations, which contain much valuable information.

TRUST FUNDS.

The accompanying tables exhibit a full statement of the various stocks and bonds held by the Interior Department in trust for various tribes of Indians, classified as to States and as to particular funds, nominal interest, date of treaties under which the investment was made, &c. The total amount of the funds thus held in trust is \$3,076,092, bearing interest to the amount of \$181,907 03 annually. Of the total amount thus held in trust, the sum of \$849,950 is invested in government securities, and \$286,742 15 in Leavenworth, Pawnee, and western railroad bonds; while the remainder, or \$1,839,400, is in bonds and stocks of various States, nearly all of which took part in the rebellion, and have paid no interest since 1860. With the return of peace we may expect that arrangements will be made at an early day for the resumption of the payment of interest upon these bonds and for the arrears of past years.

SALES OF INDIAN TRUST LANDS.

I have caused to be prepared, and submit herewith, a careful statement showing the amount of lands originally for sale, for the benefit of the Sacs and Foxes of the Mississippi, Sacs and Foxes of the Missouri, Kansas, and Winnebagoes, respectively, with the amount of land sold, and the sum realized therefor, whether in money, or scrip representing the indebtedness of the several tribes; also the amount of certificates of indebtedness originally issued, the amount redeemed, with the interest, and the amount still outstanding.

By the tables, the following facts appear: the amount originally offered for sale of the Sacs and Foxes of the Mississippi lands, in Kansas, was 278,332.60 acres, of which 268,502.68 acres have been sold, realizing the sum of \$282,439 27 in cash and certificates; leaving 9,829.92 acres still unsold; while there still remains of outstanding indebtedness the sum of \$26,574 59, bearing interest at six per cent.

In addition to the above amount of land as originally offered for sale, there

was added and placed in market on the 28th of last February a portion of the diminished reserve, making the whole amount placed in the market about 339,772 acres; the whole number of acres now remaining unsold being about 70,000. Should this land realize at public sale anything like its real value, there will be something left to be used for the benefit of the tribe; but very little, apparently, in comparison with what might reasonably have been expected from the sale of so large a body of land in Kansas.

Of the lands of the Sacs and Foxes of the Missouri and Iowa, in Nebraska, there were placed in market 32,098 acres, of which 21,225 acres have been sold, realizing the sum of \$33,057 50, leaving 10,873 acres yet unsold. Of the amount received \$5,740 91 has been paid for bridges, surveying, &c., and the balance is partly invested for the benefit of the tribes, and part is in the United States treasury.

Of the lands of the Kansas tribe, the number of acres offered for sale was 169,268.49; of which there have been sold 35,491.32 acres, realizing the sum of \$50,994 47, which has been paid in certificates of indebtedness of the tribe; and there remains unsold land to the amount of 133,777.17 acres. There still remain outstanding certificates of indebtedness to the amount of \$121,013 99, after the payment of which, if the sales of the remainder of the land should be successful, there will remain a considerable sum for the benefit of the tribe.

Of the Winnebago lands there have been put in market by this office 140,776 84 acres, and by the General Land Office 53,654 23 acres, making in all 194,431 17 acres. Of these lands this office has sold 98,189.20 acres, receiving therefor in cash \$120,522 92, and in certificates of indebtedness and interest thereon \$162,500 42, making in all \$283,033 34.

The General Land Office has sold 32,148.04 acres, receiving in cash \$82,146 14. Total amount sold 130,337.24 acres, leaving unsold 64,093 93 acres. This land may reasonably be expected to realize \$120,000, the average quality being probably not so good as that already sold.

The total amount of certificates of indebtedness issued is \$278,361, and there are still outstanding certificates unpaid to the amount of \$27,881 62; so that when the lands shall have all been sold, there will probably remain nearly \$100,000 for the benefit of the tribe.

Having thus presented a summary of the affairs of the various tribes under the charge of this office, and such suggestions in regard to their condition, welfare, and improvement, as I have deemed appropriate, I have but to refer you to the accompanying papers for details, and to conclude with the assurance that, relying upon your sympathy with all honest efforts exerted for the benefit of the Indian race, I shall devote my utmost energies to the end that their interests may receive no detriment while they remain under my charge. I hope, indeed, to effect much real good for this interesting people.

Respectfully submitted:

D. N. COOLEY, *Commissioner.*

HON. JAMES HARIAN,
Secretary of the Interior.

LIST OF PAPERS ACCOMPANYING THE REPORT OF COMMISSIONER OF
INDIAN AFFAIRS FOR 1865.

WASHINGTON SUPERINTENDENCY.

- No. 1. Report of W. H. Waterman, superintendent.
- No. 2. Report of S. D. Howe, Tulalip agency.
- No. 3. Report of C. C. Finkbouer, in charge of Lummi reservation.
- No. 4. Report of Rev. E. C. Chirouse, teacher Tulalip agency.
- No. 5. Report of A. R. Elder, Puyallup agency.
- No. 5 A. Report of C. H. Spinning, physician ditto.
- No. 5 B. Report of W. Billings, farmer ditto.
- No. 5 C. Report of J. Hubbard, in charge of Chehalis reservation.
- No. 6. Report of J. T. Knox, sub-agent Skokomish agency.
- No. 6 A. Report of F. Ford, farmer Skokomish agency.
- No. 7. Report of James H. Wilbur, Yakama agency.
- No. 7 A. Report of W. Wright, teacher Yakama agency,
- No. 7 B. Report of W. Miller, physician Yakama agency.
- No. 8. Report of H. A. Webster, agent Neeah bay agency.
- No. 8 A. Report of J. G. Swan, teacher Neeah bay agency.
- No. 8 B. Report of Geo. Jones, farmer Neeah bay agency.
- No. 9. Report of Joseph Hill, sub-agent Quinalt agency.
- No. 10. Report of Geo. A. Paige, Fort Colville special agency.
- No. 10 B. Report of Geo. A. Paige, Fort Colville special agency.

OREGON SUPERINTENDENCY.

- No. 11. Report of Superintendent Huntington, treaty with Klamaths, &c.
 - No. 12. Letter of Superintendent Huntington, relative to Coast Range Indians.
 - No. 13. Letter of H. D. Barnard, on same subject.
- [For other papers, see Appendix.]

CALIFORNIA SUPERINTENDENCY.

- No. 14. Report of Charles Maltby, superintendent.
- No. 15. Report of D. P. Moffat, physician Hoopa Valley reservation.
- No. 16. Report of late Superintendent Wiley, relative to special agency to Mission Indians.
- No. 17. Letter of J. Q. A. Stanley, relative to special agency to Mission Indians
- No. 18. Report of W. E. Lovett, special agent to Mission Indians.
- No. 19. Report of J. Q. A. Stauley, special agent to Mission Indians.

ARIZONA SUPERINTENDENCY.

- No. 20. Letter from G. W. Leihy, superintendent.
- No. 21. Letter from John C. Dunn, agent.
- No. 22. Letter from M. O. Davidson, agent for Papagos.
- No. 23. Report from M. O. Davidson, relative to character, traditions, habits, &c., of Papagos.
- No. 24. Instructions to Mr. Davidson, relative to his agency.

- No. 25. Letter from H. Ehrenberg, relative to Indian affairs in Arizona.
 No. 25½. Letter of Superintendent Leihy, relative to Indian hostilities, &c.
 [For annual report of Superintendent Leihy, see Appendix.]

NEVADA SUPERINTENDENCY.

- No. 26. Instructions of Secretary Usher to C. W. Thompson, relative to selling mill at Truckee River reservation.
 No. 27. Copy of contract for sale of Truckee River reservation.

UTAH SUPERINTENDENCY.

- No. 28. Report of O. H. Irish, superintendent.
 No. 29. Instructions to Superintendent Irish, relative to making treaties.
 No. 30. Report of Superintendent Irish, transmitting treaties.
 No. 31. Report of Superintendent Irish, forwarding Special Agent Sales's report of operations among Indians of southwest.
 No. 31 A. Report of same, relative to Special Agent Sales's visit to Pah-Utes.
 No. 32. Report of Superintendent Irish, relative to mining discoveries in the southwest.
 No. 33. Letter of Governor Doty, transmitting treaties ratified by Indians.
 No. 34. Report of Luther Mann, jr., agent at Fort Bridger.

NEW MEXICO SUPERINTENDENCY.

- No. 35. Report of F. Delgado, superintendent.
 No. 36. Instructions of Secretary of Interior, relative to slavery in New Mexico.
 No. 36 A. Order of the President of the United States, on same subject.
 No. 37. Reply of Superintendent Delgado, on same subject.
 No. 38. Report of John Ward, agent for Pueblos.
 No. 38½. Report of D. Archuleta, Abiquiu agency.
 No. 39. Letter of Hon. K. Benedict, United States judge, relative to bonds of agents.
 No. 40. Report of Superintendent Delgado, relative to needy condition of Pueblos Indians.
 No. 40 A. Agent Ward's report on same subject.
 No. 40 B. Letter from Rev. F. Jouvett, on same subject.
 No. 41. Report of Agent Ward, relative to Moqui Indians.
 No. 42. Report of Agent Ward, relative to Moqui Indians.
 No. 42½. Annual report of Agent Labadi, Cimarron agency.

COLORADO SUPERINTENDENCY.

- No. 43. Letter from Governor Evans, relative to Arapahoes desiring to make peace.
 No. 44. Office letter to Governor Evans in reply to above.
 No. 45. Report of Lafayette Head, Conejos agency.
 No. 46. Report of D. C. Oakes, Middle Park agency.

- No. 47. Letter of Governor Evans, transmitting Agent Head's report as to Indians held in slavery.
No. 47 A. Report of Agent Head, as above.
No. 48. Letter of Governor Evans, relative to outbreak of Indians.
No. 49. Letter of late Superintendent Albin, relative to shipment of goods.
No. 50. Report of Governor Evans, relative to distribution of goods.

DAKOTA SUPERINTENDENCY.

- No. 50½. Annual report of Governor Edmunds.
No. 51. Report of Governor Edmunds, ex officio superintendent.
No. 52. Letter of Governor Edmunds, urging necessity of treaty with Upper Missouri Sioux.
No. 53. Office instructions to Governor Edmunds, relative to treaty.
No. 54. Letter of Governor Edmunds, on same subject.
No. 55. Report of General Pope to General Grant, against the proposed treaty, and giving his views of policy to be pursued.
No. 56. Letter of Secretary Harlan to General Pope, relative to same subject.
No. 57. Instructions of Interior Department to Commissioner of Indian Affairs, on same subject.
No. 58. Circular instructions to superintendents and agents, same subject.
No. 59. Despatch from General Pope, recommending commission to make peace with Indians.
No. 60, 61, 62, and 63. Reports of General Sully, relative to his campaign in Dakota.
No. 64. Report of Governor Edmunds, relative to condition of Indian affairs.
No. 65. Instructions of Governor Edmunds to Agent Conger, approved by Indian Office.
No. 66. Special report of Agent Conger, relative to Yankton agency.
No. 67. Special report of Agent Potter, Ponca agency.
No. 67½. Annual report of Agent Potter, Ponca agency.
No. 68. Office letter to agent, relative to murder of Poncas by whites.
No. 69. Special report of Agent Stone, Crow Creek agency.
No. 70. Special report of Agent Stone, relative to turning back of his Indians from their hunt by military orders.
No. 71. Report of Governor Edmunds, transmitting special report of Agent Wilkinson, Upper Missouri agency.
No. 72. Report of Agent Wilkinson.
No. 73. Letter of Governor Edmunds, transmitting sundry reports of Agent Wilkinson.
No. 73 A. Report of Agent Wilkinson, relative to condition of Indians.
No. 73 B. Report of Agent Wilkinson, relative to residing at agency.
No. 74. Annual report of Agent Wilkinson.
No. 75. Report of Agent Stone, Crow Creek agency, for September, 1865.
No. 75½. Annual report of Agent Stone, Crow Creek agency.
No. 76. Letter of Captain J. L. Fisk, relative to colonizing Indians north of Missouri river.

IDAHO SUPERINTENDENCY.

- No. 77. Report of Governor Lyon, *ex officio* superintendent.
- No. 78. Office instructions to Governor Lyon, relative to treaties with Indians.
- No. 79. Annual report of J. O'Neil, Nez Perces agency.
- No. 80. Letter of Agent O'Neil, relative to hostilities by Blackfeet.

MONTANA SUPERINTENDENCY.

- No. 81. Report of Agent Hutchins, relative to Flathead school.
 - No. 82. Office instructions to Agent Hutchins, on same subject.
 - No. 83. Special report of Agent Hutchins, distribution of goods.
 - No. 84. Annual report of Agent Hutchins, Flathead agency.
 - No. 85. Special report of Agent Hutchins, Flathead school.
 - No. 85½. Instructions to Agent Upson, as to treaty with Blackfeet.
 - No. 85¾. Letter from Agent Upson, relative to hostilities among Blackfeet.
- [For Agent Upson's annual report, see Appendix.]

SOUTHERN SUPERINTENDENCY.

- No. 86. Annual report of E. Sells, superintendent.
- No. 86 A. Statement of cattle captured, &c., referred to in superintendent's report.
- No. 87. Agent Reynolds to superintendent, relative to cattle-thieving.
- No. 88. Report of Superintendent Sells to office, same subject, August 4, 1865.
- No. 89. Report of Superintendent Sells to office, same subject, August 5, 1865.
- No. 90. Instructions of Interior Department, March 20, 1865, same subject.
- No. 91. Office letter to late Superintendent Coffin, February 14, 1865, relative to charges against Indian agents.
- No. 91 A. Letter of Colonel Phillips to Secretary of Interior.
- No. 92. Interior Department instructions to Commissioner of Indian Affairs, relative to same subject.
- No. 93. Reply of Agent Colman to charges.
- No. 94. Reply of Agent Cutler to charges.
- No. 95. Reply of Agent Harlan to charges.
- No. 96. Annual report of Agent Coleman, Chickasaw agency.
- No. 97. Annual report of Agent Reynolds, Seminole agency.
- No. 98. Supplementary report of Agent Reynolds, Seminole agency.
- No. 99. Annual report of Agent Harlan, Cherokee agency.
- No. 100. Annual report of Agent Gookins, Wichita agency.
- No. 101. Annual report of Agent Dunn, Creek agency.
- No. 102. Annual report of Agent Snow, Neosho agency.
- No. 103. Letter of Superintendent Sells, transmitting special report of Agent Snow, relative to exploration of Quapaw reservation.



- No. 104. Despatch of Major General Reynolds, June 28, 1865, relative to Indian council to make peace.
- No. 105. Despatch from Major General Reynolds, relative to proposed peace council.
- No. 105½. Report of Commissioner Cooley, as president of council at Fort Smith.
- No. 106. Official daily record of council at Fort Smith.
- No. 107. Letter of John Ross to Opothleyoholo, Creek chief, September 19, 1861.
- No. 108. Same to same, October 8, 1861.
- No. 109. Address of John Ross to the Cherokee regiment, December 19, 1862.
- No. 110. Despatch from General Hunt, October 23, 1865, with letter from Governor Colbert, of Chickasaws, October 11, 1865.

CENTRAL SUPERINTENDENCY.

- No. 110½. Annual report of Thomas Murphy, superintendent.
- No. 111. Report of Agent Farnsworth, relative to disarming Indians.
- No. 112. Office to late Superintendent Albin, same subject.
- No. 113. Superintendent Murphy to Commissioner Cooley, same subject.
- No. 114. Office reply, same subject.
- No. 115. Supplementary regulations as to Indians alienating lands.
- No. 116. Office letter to late Superintendent Albin—shipment of Indian goods.
- No. 117. Office letter to Superintendent Murphy, same subject.
- No. 118. Annual report of Agent Pratt, Delaware agency.
- No. 119. Annual report of teacher, Delaware agency.
- No. 120. Special report of Superintendent Murphy, relative to Delaware school.
- No. 121. Annual report of Agent Colton, Osage River agency.
- No. 122. Special report of Agent Colton, relative to leasing oil lands.
- No. 123. Secretary of Interior's instructions, relative to same.
- No. 124. Annual report of Agent Adams, Kickapoo agency.
- No. 125. Annual report of Agent Palmer, Pottawatomie agency.
- No. 126. Annual report of physician to Pottawatomie agency.
- No. 127. Annual report of J. F. Diels, superintendent of school, Pottawatomie agency.
- No. 128. Office to Superintendent Murphy, relative to Indians as licensed traders.
- No. 129. Secretary of Interior's decision relative to patents and *pro rata* share of tribal funds for Pottawatomies.
- No. 130. Annual report of Agent Martin, Sac and Fox of Mississippi agency.
- No. 131. Annual report of teacher, Chippewa and Munsee school.
- No. 132. Annual report of teacher, Sac and Fox of Mississippi school.

- No. 133. Letter of congressmen from Kansas, recommending sale of additional Sac and Fox lands.
 - No. 134. Report of Commissioner of Indian Affairs, February 27, 1865, same subject.
 - No. 135. Annual report of Agent Hutchinson, Ottawa agency.
 - No. 136. Letter of Agent Farnsworth, relative to treaty between Kaws and Pawnees.
 - No. 137. Letter of Agent Wheeler, same subject.
 - No. 138. Office instructions on same subject.
 - No. 139. Report of Agent Farnsworth, same subject.
 - No. 140. Letter of Agent Leavenworth, Kiowas, &c., January 9, 1865.
 - No. 141. Letter of Agent Leavenworth, February 19, 1865.
 - No. 142. Report of Agent Leavenworth, May 6, 1865, relative to proposed action towards Indians, the military, &c.
 - No. 143. Report of same, May 10, 1865, relative to his action, &c.
 - No. 144. Despatches, with authority to Senator Doolittle and others to make treaties.
 - No. 145. Report of Agent Leavenworth, of agreements by Kiowas, &c., to make treaties.
 - No. 146. Despatch from General Pope on same subject.
 - No. 147. Report from Agent Leavenworth, September 19, 1865.
- [For report of treaty council with Kiowas, Comanches, &c., see Appendix.]

NORTHERN SUPERINTENDENCY.

- No. 148. Annual report of E. B. Taylor, superintendent.
- No. 149. Special report of Superintendent Taylor, relative to Omaha agency.
- No. 150. Office letter to Superintendent Taylor, in reply.
- No. 151. Annual report of Agent Furnas, Omaha agency.
- No. 152. Annual report of teacher at Omaha agency.
- No. 153. Special report of Superintendent Taylor, Winnebago agency.
- No. 154. Annual report of Agent Balcombe, Winnebago agency.
- No. 155. Letter from Agent Furnas, relative to preparing land for Winnebagoes to cultivate.
- No. 156. Office report to Secretary of Interior, relative to Winnebagoes who remain in Minnesota.
- No. 157. Petition of Winnebago chiefs for a school.
- No. 158. Annual report of Agent Burbank, Great Nemaha agency.
- No. 159. Annual report of teacher of Ioway school.
- No. 160. Annual report of farmer for Ioways.
- No. 161. Special report of Superintendent Taylor, relative to Pawnee agency.
- No. 162. Annual report of Agent Wheeler, relative to Pawnee agency.
- No. 163. Annual report of teacher of Pawnee manual labor school.
- No. 164. Annual report of farmer at Pawnee agency.
- No. 165. Letter of late Agent Lushbaugh, relative to enlistment of Pawnees in United States service.

- No. 166. Letter of late Agent Lushbaugh, transmitting treaty between Kaws and Pawnees.
No. 167. Annual report of Agent Daily, Ottoe agency.
No. 168. Annual report of engineer at Ottoe agency.
No. 169. Annual report of farmer at Ottoe agency.
No. 170. Office instructions to V. Jarrot, agent for Fort Laramie agency.
No. 171. Report from Agent Jarrot, July 15, 1865.
No. 172. Report from Agent Jarrot, August 18, 1865.

GREEN BAY AGENCY.

- No. 173. Annual report of Agent M. M. Davis.
No. 174. Annual report of R. Dousman, teacher for Menomonees.
No. 175. Annual report of Kate Dousman, teacher for Menomonees.
No. 176. Annual report of Jane Dousman, teacher for Menomonees.
No. 177. Annual report of farmer for Menomonees.
No. 178. Annual report of miller for Menomonees.
No. 178½. Annual report of blacksmith for Menomonees.
No. 179. Annual report of teacher for Stockbridges and Munsees.
No. 180. Annual report of teacher for M. E. mission school, Oneidas.
No. 181. Annual report of teacher for P. E. mission school, Oneidas.
No. 182. Letter of Agent Davis, transmitting appeal of Stockbridges, &c., for relief.
No. 183. Office letter in reply to the same.

CHIPPEWAS OF THE MISSISSIPPI.

- No. 184. Report of Agent Clark, relative to selection of a place for the agency.
No. 185. Letter of George Bouga on same subject.
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- No. 186. Office letter to Superintendent Thompson, relative to Lake Court Oreilles reservation.
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WASHINGTON SUPERINTENDENCY.

No. 1.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Olympia, W. T., September 7, 1865.

SIR: In compliance with the requirements of the department, I have the honor herewith to submit my first annual report of the condition of Indian affairs within the superintendency of Washington Territory.

For the detail of operations and results among the various tribes I beg leave to refer you to the reports of agents and employes herewith transmitted.

From these reports it cannot fail to be apparent that the chief impediment which retards and tends to defeat the beneficent designs of government towards the Indian tribes is the demoralizing influence of corrupt white men.

Indians are a weak race, easily seduced, easily influenced to accept proposals at once injurious and disgraceful. They come into social contact most naturally with the lowest class of white society, and are more inclined to take on the vices than the virtues of civilization. The first and most important question, therefore, to be answered is, how is this process of demoralization to be arrested? How are Indians to be induced to abandon their intoxication, their polygamy, their prostitution and their laziness, and accept the better humanity which government desires, and at such immense cost endeavors, to give them?

Shall we accept the prevailing heresy, that the American Indian is a hopeless subject, doomed to extermination, bound to disappear before advancing civilization, and the sooner he becomes extinct the better; and that the true policy is to hasten his decay by giving facility to his demoralization, instead of striving to redeem him from it? This heresy, which is found in the mouths not only of unreflecting and unprincipled men, but of many men of high social position, can never be accepted by a Christian government; but the question must be continually asked, and an answer sought, how shall the Indian be reclaimed from his barbarism and his vices, and be made to enjoy the blessings of a Christian civilization? To this question there is but one answer to be made: Indians are like children; they require for their improvement similar care and guardianship as children, and the more nearly the relationship of parents can be represented by those officially appointed to be over them and among them, the more likely will they be to restrain them from evil habits, and induce them to adopt good ones. Agents and employes should always be men of practical business experience. They should all be married men, and should have their home on the reservations with their families, that the domestic habits and comforts of civilization may be a constant example to the Indians, and that there may be less temptation on the part of the employes themselves to depart from the strict rules of propriety in their own intercourse with the natives. They should be men of heart—men who have true sympathy in behalf of suffering and erring humanity—men who seek their positions not simply and solely to draw their pay, but with an honest desire to be useful to a needy and an outcast race; and this can only be expected from men of purity of character, whose personal example is worthy of all imitation.

With such men placed in control of Indian tribes as co-workers in the grand endeavor to civilize and christianize them, there would be little need of law to restrain them from evil, or resist the encroachments of corrupt influences from without. Each Indian, old and young, would be treated as a child, would be looked after and protected as a child. He would soon learn that his guardian was his true friend, and that evil companions from without

are his worst enemies. He would yield to the influence of him whom he regarded as his friend, and like a simple child would be drawn into safe and salutary habits.

Hence my first recommendation is this: Whenever vacancies occur in the Indian service, let those vacancies be filled, not necessarily by the first man or any man who asks it, but by such men and only such as the conditions above stated require.

There is no other work in the gift of the government which requires such peculiar qualifications as that of teachers and laborers among Indians. If the servants of the government in this field are the right sort of men, who are able to govern the Indians by the force of their own moral power, then the money expended for Indians will do them good; otherwise, if they are selfish, unprincipled and unfaithful men, then the money expended will do the Indians harm instead of good, and the whole service will prove a failure in their hands.

There is no doubt that the policy which tends most strongly to entice the Indians to abandon their wild and wandering mode of life, and come on the reservations and make their permanent abode there, is the best policy both for the Indians and the white people. Wherever this is accomplished it is easy to keep them away from evil influences from without, to cultivate habits of industry among them, and to keep their children within reach of instruction. Only a part of the reservations of this Territory are as yet sufficiently improved to offer inducements adequate to bring the Indians on them; consequently they stroll about in pursuit of subsistence, and are generally found loitering near those white settlements where the means of their demoralization are the most abundant.

My opinion is that most of the money appropriated for beneficial objects should be invested in the improvement of reservations, supplying proper buildings, clearing and fencing land, purchasing stock, farming implements, &c., and that the benefits of such appropriations should in all cases be restricted to those who make their homes on the reservations. The issuing of annuities, either in the form of money or goods, to wild wandering Indians, is a positive injury to them, since it adds so much to their stock on which to gamble and trade for whiskey; and if all such Indians were to be made distinctly to understand that they could get no benefit from the government except by settling upon the reservations, and giving their time and attention to the work there carried on for their support, the tendency would be to gather them in and bring them under safe influences.

Take the Skokomish reservation, at the head of Hood canal, as an example. There is a large tract of rich intervalle land, sufficient, if properly improved, to yield ample subsistence for the large number of Indians belonging to that agency; yet the great body of those Indians live a wild and wandering life; only a small proportion of them ever come upon the reservations, and but very few of those pretend to reside there.

The appropriations for school purposes are insufficient to erect the necessary building, and maintain a school upon an effective basis; and I have thought best thus far, since I came into office, to retain the school money in my possession, hoping that at some distant day the fund will be so increased that I shall be justified in undertaking to establish an industrial school, such as the wants of that agency require. I am satisfied that to disburse the small amount now on hand, with the present condition of the agency, and the present facilities for a school, would be tantamount to throwing it away. The great end now to be accomplished is to get the fertile land of the reservation cleared up and improved, so that the Indians can be maintained upon it; and to this end the efforts of the present employes are tending. There is no better grass land in the world than the Skokomish bottom, the best

portion of which is embraced within this reservation. The heavy lumbering business upon the neighboring waters will always create a demand for forage at remunerative prices, and I firmly believe that enough of the single article of hay can be produced to maintain the agency after the land is cleared and seeded to grass, and yet it is no better for grass than for potatoes and other vegetables, or for peas, barley, and wheat. There is no doubt, therefore, that true economy would dictate the giving of every possible encouragement and aid to the effort now being made to clear up and improve the reservation, so that the Indians can be induced to bring their families there and place them within reach of instruction.

In the Tulalip agency, which holds jurisdiction over all the Indians who are parties to the treaty of Point Elliot, an industrial school has been several years in operation, under the efficient labors of Father Chirouse, a Catholic priest, who has persevered in his work in the face of impediments, discouragements, and difficulties, until he has got his school into a condition that promises, with reasonable liberality hereafter on the part of the government, to be a success. If a sufficient amount of land was cleared, I think the school could raise its provisions. But the land in that locality being very heavily timbered, it is a slow process for school-boys to clear it up and get it into a state for cultivation. It will cost at least \$75 per acre to clear the land, and yet the school needs 20 acres of good ground cleared and fitted for a crop. If this could be done previous to the next seeding time, and suitable encouragement be given to the process of gardening in the proper season, I think the cost of sustenance, if not entirely saved, would be greatly diminished. In respect to clothing, the school needs simply the materials. The manufacturing of garments, shoes, &c., can all be done by the pupils themselves, under one of their most useful branches of instruction. The benefits of this school have thus far been limited to boys, though the superintendent of instruction is extremely anxious to connect with it a female department, under the management of the Sisters of Charity. The limited appropriations for the support of the school have rendered this hitherto impracticable, and therefore the education of the girls on this reservation, and throughout the entire agency, is neglected. To maintain an industrial boarding school for both sexes on the plan which Father Chirouse would prescribe, would require an appropriation of \$5,000, for the completion of the building, fixtures, and furniture, and for tuition and sustenance. And while I am not in sympathy with the religious faith of Father Chirouse, yet I am clear in the conviction that his efforts are decidedly antagonistic to all the demoralizing influences which are so much to be deprecated among Indians; and that so far as the influence of his school can be made to extend among the children of the tribes of that agency, we would have a right to expect not only good moral results, but constant progress in knowledge. I therefore take pleasure in calling your attention to his report, herewith transmitted, and in recommending that the necessary means be appropriated to carry out the plans and desires of one of the most untiring and faithful men in the service.

I will also here take occasion to say that during the past year I have found it necessary, in order to sustain the school, and prevent it from absolute failure for want of sustenance, to disburse to it from the annuity fund, in the form of provisions and clothing, to the amount of nearly \$1,000.

I desire also to call the attention of the department to the saw-mill, in connexion with the Tulalip agency. There is an abundance of the finest quality of timber on the reservation; and there is no one article more necessary to the comfort and civilization of the Indian than building material. They all have mud houses to live in; and unless we can get them off the ground, and into more comfortable quarters, little can be done for their health

or their domestic comfort. This mill, if efficiently manned, would be able to supply the entire wants of the agency in respect to building materials. A competent miller cannot be obtained at the ordinary rate of compensation paid to government employes; and I would therefore recommend that the agent in charge be authorized to secure the services of a miller at the current wages paid by lumbermen on the sound for that kind of service, and that the mill be kept in operation during all that portion of the year when there is a supply of water to propel it. A copy of Mr. Howe's report has already been forwarded to the department. I call your attention to his unpaid liabilities accruing under the first and second quarters of 1864, for the liquidation of which no funds have ever been received. Incidental expenses, especially in the agency of Mr. Howe, who has several reservations under his charge, are necessarily large, and extraordinary circumstances during those two quarters increased them beyond the ordinary amount. The fact that no money for incidental expenses was received applicable to those two quarters, and that the liabilities still remain unpaid, places the agent in a very embarrassing situation. And while alluding to the subject of incidental expenses, permit me to say that there is probably no locality in the United States where the cost of travel and transportation is so great as in the country bordering on Puget's sound. The dense forests, through which there are no roads from one reservation to another, compel us to travel by water, and always to charter special conveyance at great cost. The consequence is that the amount of money for incidental expenses has hitherto been found inadequate properly to do the business of the service without incurring liabilities. I think, however, that if the deficit for 1864 could now be received, and the full amount appropriated for 1865 be punctually remitted, that the incurring of liabilities hereafter may be avoided.

The suggestions of Agent Howe, in regard to the surveying and marking of the boundaries of the several reservations, meet my hearty concurrence. The peace of the country and the rights of the Indians require that this be done, and I recommend an appropriation for that purpose. Also his suggestions in regard to the necessity of an employe on each of the reservations in his agency.

By reference to the report of C. C. Finkbouer, farmer in charge of the Lummi reservation, it will be seen that the Indians there are doing well. The same service among the Port Madison, Swidomish, and Black river Indians would produce similar results, whereas now the Indians at these several localities are making no progress in the way of civilization. The Black river Indians, residing near the confluence of the Black and White rivers, claim that they were not represented in the treaty of Point Elliot. They are unwilling to leave their present place of abode, and ask to have a small tract of land there reserved to them. I think Mr. Howe is mistaken in his opinion that payment for their improvements would satisfy them. My own judgment, after visiting them and counselling freely with them, is, that nothing less than the reserving of the land where they are, and the guaranteeing to them the right to remain on it, will satisfy them. I therefore recommend that a section of land be surveyed off and given to them. There are about 275 of the Indians there. The white settlers in the neighborhood desire to have them remain among them, that they may avail themselves of their labor, yet at the same time they are unwilling they should have a reservation where they are, because they, the white men, want to appropriate the valuable bottom land which they occupy. I have no doubt of the propriety of giving the Indians a small reservation at that place.

In respect to the Quinaliet agency, all important information can be gathered from the report of Sub-agent Hill, herewith transmitted. The original reservation, some eight miles distant from the one now occupied, and on

which extensive and costly improvements were made under former administrations, was abandoned, as I am told, by reason of poisonous plants which grow there, and which are destructive to the stock ranging in that locality. It was on this account that former Superintendent Hale deemed it advisable to abandon the old reservation and commence improvements on the river, where the Indians lived, and where the land, though somewhat difficult to clear, is of an excellent quality, and is free from the objections which lay against the old reservation. I think the sub-agent in charge is doing the best he can to improve the new reservation, but it is manifest from his report that the process is slow and the task laborious. As soon as suitable preparations can be made for a school I shall be in favor of appointing a teacher, but at present I doubt whether money can be applied to school purposes there to advantage. It is my purpose to provide lumber to the extent of the means at my disposal, and to encourage the erection of the buildings necessary to the wants of the agency. I think that as soon as sufficient land can be cleared to make the business of farming an object, the Indians can be induced to turn their attention to it. In laying before you the report of Agent Webster and his employes, I am forced to express regret that so much expensive outlay upon that agency, especially in the appliances for education, should be fruitful of so small results. The school-house upon this reservation is both capacious and tasteful, reflecting much credit upon the architectural taste of the agent, or whoever else projected it; it is a building that would be creditable to a New England shiretown, where two hundred children required school privileges; and yet the report shows but little done in the way of gathering into it the Indian children for instruction. I hope that in future, since the preparations are so ample, and since a teacher is maintained by the government, more will be done in the way of practical instruction among the Indians and their children. I lay the report before you, with all its suggestions and recommendations, forbearing further comment.

The report of Agent Elder relative to the Puyallups, Nisqually, Squaksin, and Chehalis reservations, will be found full and explicit respecting the condition of the Indians there. It is lamentable that no schools of any sort are in existence for the children under the treaty of Medicine Creek. The necessity of a manual labor-boarding school, upon a plan sufficiently ample to accommodate the children of these tribes and those upon the Chehalis river, is manifest to every observer, and I cannot discharge my duty here without urging it upon the consideration of the department. The Indians on the Chehalis, now estimated at 600 in number, are *parties to no treaty*, but have quite generally turned their attention to the cultivation of land and the growing of stock; they have one of the most fertile tracts of land in the country, and with reasonable encouragement will in a few years be independent. Mr Hubbard, the farmer in charge, is economizing their business, and his statement, accompanying Agent Elder's report, will show the wants of the reservation and the results of his labors. I desire to call especial attention to the statement of George A. Paige, esq., now in charge at Fort Colville, from which the interesting character of the Indians in that part of the Territory, and the necessity of more elaborate appointments for their encouragement, instruction, and protection, will be manifest. The affairs of the department among these Indians have heretofore been administered by the military officer in charge at Fort Colville; but deeming the service thereof of sufficient importance to justify the appointment of a special agent under the title of farmer in charge, and being desirous to learn more definitely of the number, character, and condition of the Indians there, I appointed Mr. Paige, who is a man of long experience in the Indian service, and who understands well the Indian character, to take charge there, to investigate the state of

things, and report. And I take pleasure in including his among the other reports herewith communicated.

The state of affairs among the Yakama Indians is of a very flattering character, as the report of the agent and employés there abundantly show.

The reservation belonging to these Indians has some advantages over other reservations; the situation is remote from business centres, and away from many corrupting influences which are more proximate to other reservations. And what is best of all, the agents and all the employés seem to be actuated by a high motive to accomplish the good of the Indians. I believe they are religiously and honestly seeking the improvement of the race in knowledge, in morals, in Christian faith, and in all the arts of good living; and I believe that if the same spirit continues to animate and actuate the service there, that it will never be said of the Yakama nation that they are doomed to extermination, or that efforts for their elevation to the immunities of Christian civilization are unavailing.

All which is respectfully submitted by your humble servant,

W. H. WATERMAN

Superintendent Indian Affairs, W. T.

Hon. D. N. COOLEY,

Commissioner of Indian Affairs, Washington, D. C.

No. 2.

TULALIP, W. T. *August 1, 1865.*

SIR: I have the honor herewith to enclose you my annual report for 1865, and such other reports of employés as I deem of interest. The Indians during the past year have been peaceable towards the whites; nothing has occurred to disturb the harmony among the whites and Indians, except some few murders on both sides. During last fall the Indians murdered Mr. Castro and wife, and another man near Seattle. The guilty parties were killed at the time by a friendly Indian. These murders were brought on by the parties themselves furnishing the Indians with whiskey. Murders have been committed on the Indians by white men, both cold-blooded and cowardly, and in no instance with sufficient reason. The courts have been appealed to for redress, but I believe in no instance has any redress been given. In some instances the grand jury have failed to find a bill, and in others a petit jury could not be obtained on account of the prejudice of the people against the Indians. Nearly all of the difficulties grow out of giving the Indians whiskey, or white men cohabiting with their women, of which class there is a large number.

The Indians are fast being depleted in numbers by sickness. They show more disposition than formerly to live on their reservations and cultivate the soil. The reservation at Fort Madison and the Swidamish: nothing has been done on them by the government during the past year. The Indians have planted a small amount of potatoes. The Indians on the two reservations should have an employé with them to instruct them in farming, &c. There can be no property accumulated on these reservations without an employé on them to look after the property. This complaint has been so often repeated that I despair of procuring for these Indians what they are justly entitled to. A portion of the Indians belonging to the Fort Madison reservation now live on Black river, which was their place of residence at the time of the making of the treaty. These Indians desire a reservation at this point, but under the treaty there is no provision to that effect; but in justice to these Indians they should be paid for their improvements, which would satisfy

them. This is one of the stipulations of the treaty, and in their case it should be complied with.

For information in relation to the Lummi reservation I refer you to the report of Mr. Finkbouer, the assistant farmer.

These Indians are doing very well ; they provide good clothing and make their houses on the reservation, and are happy and contented.

The reservation at Tulalip : some new land has been cleared during the year; ninety thousand feet of lumber has been manufactured at the mill; twenty-five houses have been built by the Indians, and some two thousand bushels of potatoes will be raised the present season. The Indians have cleared some new land, and they show quite a disposition to live on their reservation and make themselves a home. The land has to be cleared, and their progress is slow, owing to their lazy habits. There is a considerable amount of timber on this reservation fit for saw-logs, that should be sold, and the money expended in clearing land for the Indians.

For information in relation to the school, I refer you to the report of Father Chirouse. I am of the opinion that one school west of the Cascade mountains is quite sufficient for the Indians. The government appropriates money enough, if it was all expended at one point. Under the present system there is not enough expended at any one point to accomplish what might be done were there but one school. Father Chirouse is in every respect competent to take charge of a large school. His teaching has been productive of much good among the Indians, and were the school funds all expended at this point, the Indians from different parts of the Sound would readily send their children here, and it would be better to separate them from their parents. When they have been in school a sufficient time, let them be married off and settled on the reservation. The school funds all expended at one point would be ample to give the school a good start, and assist the scholars as they are married off. Some change of this kind seems to me indispensable to their improvement.

The annuity funds should in no case be expended in any other way than to buy tools, building material, clearing lands, and for the purchase of stock. The Indians are perfectly satisfied with such a disposition of the funds. The expending the funds as heretofore is productive of more evil than good. The reservation should be surveyed, and the boundaries definitely marked, so that an agent could determine what land is included in the reservation, and prevent intrusion by the whites. The land claims of private citizens included within the reservation in my district should be paid for at once. Some of them are of long standing, and in justice to the parties should be speedily adjusted.

Much more might have been accomplished in the way of improvements on the reservation, had it not have been for the depreciation in legal-tender notes.

A miller should be provided to run the mill at this place, with a salary of not less than twelve hundred dollars per annum. The mill could saw more lumber than heretofore if sufficient means were provided to keep it running.

I am sorry that I cannot report all the obligations of the Indian department settled up to the 30th of June, 1865, owing to the funds for incidental expenses for the first and second quarters of 1864 having been retained by the department. In those two quarters there are vouchers yet unpaid. When we are to be in receipt of those funds I have no information.

In retiring from the Indian department, permit me to recommend for appointment Mr. C. C. Finkbouer, assistant farmer at Lummi reserve. He is a man of integrity, and well acquainted with the Indians, and not objectionable on account of being a recent arrival in the Territory.

The Indians are getting anxious about their annuity funds; they have waited faithfully for a long time, with the hope of soon receiving some benefit from this expenditure.

Respectfully, your obedient servant,

S. D. HOWE,

Indian Agent, Washington Territory.

W. H. WATERMAN,

Superintendent Indian Affairs, Olympia, W. T.

No. 3.

LUMMI RESERVATION, W. T., July 31, 1865.

SIR: I have the honor to transmit to your headquarters this my third annual report. I am happy to be able to state that friendly relations continue to exist between the Indians and whites, and also between the different tribes of Indians. Notwithstanding persistent efforts were made by disloyal and dishonest white men to create disaffection among the Indians during this rebellion, the Indians have remained true and loyal to the government. The Indians are gradually improving in the arts of civilization, temperance and religion. They are also forsaking most of their ancient and barbarous habits, and are adopting those of the whites; but to bring all this about it requires the incessant toil and labor of the person in charge. What you tell an Indian to-day he will forget to-morrow. I hardly deem it necessary to make any suggestions to you in this report. You know our wants as well and better than I am able to tell you. Permit me, however, to mention the necessity of more lumber for this reservation. I think good and substantial houses are more conducive to civilization and good government among Indians than any other class of property the government could give them. It also has a tendency to keep them on the reservation, and throws around them that talisman which is so conducive to the happiness of mankind at home. Enclosed please find a list of labor performed since my last annual report. We expect, however, to do a good deal of work this fall and winter, such as opening roads, and building, &c.

We built seven good substantial houses with shingle roofs, chimneys, &c., cleared off about thirty acres of new land, and planted about one hundred and fifty acres in potatoes and vegetables. We will cut and put up about thirty tons of hay, repairing fences, moving buildings, and looking after the general welfare of the Indians; also, made fifty thousand shingles. We are making improvements of a permanent and substantial character. It is very difficult for me to approximate anything near the amount of labor performed on the reservation within the last year.

I cannot close this report without thanking you, on behalf of the Indians under my charge, for the very generous and liberal manner you have furnished this reservation with lumber, building material, agricultural implements, cattle, horses and wagon. Notwithstanding our depreciated currency, my Indians have received more than they could expect.

Respectfully, your obedient servant,

C. C. FINKBOUER,

Assistant Farmer Lummi Reservation.

S. D. HOWE, *Indian Agent, Tulalip, W. T.*

No. 4.

TULALIP INDIAN RESERVATION.

SIR : In compliance with the regulations of the Indian department, I have respectfully to submit the following report of the Indian school under my charge upon this reservation for the past year :

The average attendance during the year has been from twenty-five to thirty at one time. When provisions were abundant, I had thirty-seven boys; one of them died last spring, and nine left the school during the year, when the supplies became so limited that it was impossible to give to each a sufficient quantity of food.

The scholars who thus left were the children of infidel parents, and gave as their reason for leaving, that they were tired of the manual labor required of them in cultivating the ground without the aid of the proper ordinary implements of husbandry, such as cattle, plough, &c., and the insufficiency of food being too severe for them. They also drew attention to the fact that their schoolmates who had persevered, and who, during their attendance at school, had toiled hard in clearing the dense wilderness in order to render the land fit for cultivation, had received no reward for their labor, and upon leaving the school had failed to receive from the department any assistance to start them on in a life of honesty and industry, but, on the contrary, found that their friends who had never been to school, having made some money among the whites, are now comparatively better off, in a temporal point of view, than those who have been regular attendants at school.

I regret to say that these statements are not without foundation; and I here beg leave to add, that unless your efforts (to procure those Indian children a sufficient supply of comfortable clothing, and the provisions they cannot yet succeed in raising, and also the necessary implements of husbandry and tools) meet with more success than heretofore, they cannot be expected to remain at school, or fix their homes on the reservation. As it is at present, there is nothing to encourage them to persevere in their attendance at school, or to attach them to the reservation hereafter. They are obliged to labor on an average eight hours a day, in fishing, clearing and cultivating the land attached to the school, thus leaving them very little time for study, and the labor ten-fold more burdensome for want of a farmer or the necessary implements of husbandry. Therefore, in order to attach them to the school and the reservation, they should have some assurance made them that upon leaving school they will receive the means of establishing for themselves comfortable homes on the reservation.

Having now eighteen years' experience of the character and mode of living of the Indians of this Territory, I have not the slightest hesitation to assert that, without a thorough knowledge of religion and the fear of God, neither honesty nor civilization can ever be achieved among them, or, in fact, among any other people; and being very well acquainted with the Indians of the Sound, I find that it is only the children of good Christian parents who can be retained at school. My first object is to teach the adults, and then the children, their duties towards God and man; and I am happy to say the number of our neophytes are daily augmenting, even among those of the wildest bands. Secondly, I teach them how to obtain an honest livelihood, by endeavoring to make them feel a love for labor, and I must say that I have been somewhat successful, as the progress of my pupils for the past year is sufficient proof of their courage and willingness. Every visitor, seeing what they have done on their new place, so densely wooded, cannot avoid expressing their surprise when told it is the work of Indian boys, poorly fed, and half clothed.

Spelling, reading, writing, and arithmetic are daily taught, but from the fact of my pupils having to devote nearly all their time to manual labor, they have made but little progress in their studies the past year. Nevertheless their moral improvement is becoming more and more apparent, and it is acknowledged by all who have visited our school, and made themselves acquainted with the pupils, that they could even now, at this early stage, emulate with many of their white neighbors in sound knowledge of religion and other branches of education.

Every year there are several applications made to me by citizens for some of my pupils to act as servants. In some few cases I have allowed them to go, but I regret that I had not the means of keeping them longer at school, and I am now left totally without the means of keeping them, or fixing for them a permanent home on the reservation; and I regret their morality is not by any means improved by their communication with the whites, and still less by their intercourse with other Indians.

At the request of many Indians who have not the opportunity of coming regularly to the mission, I allowed the Rev. Father Grandier to go in my stead and visit them during the month of May last, and the Almighty God blessing his apostolic labors, his visit has had the desired effect. Many of the Indians were drawn towards the right path, and have since made application to have their children admitted into our school.

The man whom you employed began to plough here on the 24th of May, and as the time was urgent, my pupils suspended their studies for some time, during which they cleared, fenced, and planted three and a half acres of land at the place known as "Old French Peters."

When the boys observed the man with oxen and plough coming to their assistance for the first time their joy was beyond bound, all expressing their delight in joyous acclamations, and went to work with a new ardor, which still continues. It is to be regretted that this work had not been completed at an earlier date.

At Priest Point, and at our new place, our pupils planted upwards of forty bushels of potatoes, sowed one bushel of wheat, three of oats, some barley and peas, about half an acre of turnips and carrots, and many other garden seeds. The first planting looks very well; but the last, which was more extensive, having been destroyed by insects, I doubt that our pupils will have enough of vegetables for their own use; and even if they had, they would be obliged to look to the department for a supply of clothing, flour, and molasses.

I must again request the department to furnish a seine for the boys, which has been so long promised and so much needed.

As many of my pupils are now able to plough and drive cattle, I desire very much to see them provided with a good plough, a strong wagon, and two yokes at least of strong and gentle oxen, for their own special use. These are absolutely necessary in order to aid and sustain them in their ardor in working.

I would strongly recommend that our school be furnished with some domestic animals, such as cows, swine, and poultry, and that stables and out-houses be erected as soon as possible, so as to facilitate our further advancement.

I must here beg leave to return you many thanks for the two swine lately sent as the first instalment to those required.

As our pupils are the offspring of the wildest and most indolent Indians of the Territory, we cannot expect to perfect them otherwise than by degrees. In order, however, to obtain the desired result of educating these children of nature, it requires a great amount of zeal, patience, and perseverance, seconded by continued support from government. It is absolutely

necessary to be thoroughly acquainted with their character in order to obtain the desired end. It will not do to tease or exasperate them too much in requiring of them a great quantity of hard labor, particularly as they are not furnished with the necessary means of performing it. The practical example of the teacher has considerably more influence over them than words. I have therefore endeavored, since I got the school under my charge, to work with them through all their labors, and by this means have so far succeeded in sweetening their toil.

By this daily application to labor the health of my pupils is fast improving, but not so with me. My health is going down with the days of my youth, yet I still hope that our just and charitable government will kindly render me the necessary assistance to carry out the work begun amid so many hardships and self-sacrifices.

I have here to suggest the propriety of furnishing the school with a medicine chest, containing such simple remedies as the diseases of the pupils may require. I have heretofore been obliged to furnish my pupils, and also the Indians of the mission, with medicine at my own expense, and my prescriptions being attended with great success, they will, of course, expect medicine from me as long as I remain among them.

In relation to the girls, notwithstanding my earnest and repeated petitions, I have not yet been so fortunate as to obtain the means to have them separated and away from their parents, who often prostitute them before the age of puberty.

May we still hope to see upon the reservation the Sisters of Charity so often promised to the Indians, so long expected, and so much needed for the greater benefit of the Indian and half-breed feminine sex of the Sound. You are aware that a building has been erected at considerable expense to the government, and designed for the use of the Sisters of Charity. It still remains unfinished, yet a small additional expenditure would render it suitable for immediate possession.

I am informed by the right reverend bishop of Washington Territory that the sisters are in readiness to leave for the reservation at any moment they are summoned, and their services will be rendered on very reasonable terms. The good that would accrue from their presence among the Indians cannot be over-estimated, and I trust that the department will have them established on the reservation at an early date, and without further delay, as the case is very urgent.

The Rev. Father Grandidier, after eleven months' unremitting attention and assiduity, has tendered his resignation as assistant teacher of the Tulalip Indian school, in favor of B. E. B. Macstay, whom you had the kindness to appoint in his stead, and who has been employed as teacher for the last five years in America, Ireland, and England. His thorough knowledge of the English language will enable our Indian children to acquire a more correct American accent and pronunciation, and I am sure that you will see here a proof of the desire we have in placing our school on such good and solid footing, so as to accomplish, in every respect, the views of the government.

I have the honor to remain, sir, your very obedient servant,

E. C. CHIROUSE, *O. W. T.*

S. D. HOWE, Esq.,

Indian Agent, Tulalip Reservation, Washington Territory.

No. 5.

OFFICE PUYALLUP AGENCY,
Olympia, Washington Territory, September 6, 1865.

SIR: I have the honor to submit the following annual report of the condition of the Indian tribes under my charge as Indian agent:

I take pleasure in referring to the decided improvement in their condition within the last year. A great many of them are becoming industrious and practical farmers. When I was appointed Indian agent, and assigned to this agency by your predecessor, they were not in a prosperous condition. They had very little to work with in the way of farming implements, notwithstanding the government had made ample provision for all these things, and no doubt they had been furnished. But the employes who were placed upon the reservation did not seem to comprehend the object of the government in making treaties with the Indians and locating them upon reservations. They seemed to think and it was the universal opinion as far as I could learn, that the reservations were so many asylums for the lazy and indolent men who happened to be the favorites of the party in power, and the whole machinery of the Indian department was to be used as a political stepping-stone to some demagogue to a seat in Congress. Hence the neglect on the part of the employes to instruct the Indians in the various pursuits contemplated by the government. I have been accosted time and again by persons asking a situation on some one of my reservations, saying, "I am not very able to work, and would like to have a place in the Indian department," as though the Indian department was a refuge for the lazy, the drunken, and the vicious.

But, sir, such men are given to understand that the government has a higher purpose in view, the elevation of the Indian race to civilization and religion, and we have endeavored to select men who will be diligent in instructing them in all those elements that tend to that desirable object.

My experience in the management of Indians in order to the improvement of their condition is, that the less intercourse they have with the whites outside of the Indian service the better; and in order that I may the better accomplish my purpose in carrying out my views and the instructions of the department, I have instructed the employes to suffer no person of vicious habits to come upon the reservations except to accomplish some legitimate business, and then leave.

The four tribes under my charge are in a far more prosperous condition than ever before, particularly the Puyallups and Chehalis. You will see from the report of Mr. Billings, assistant farmer in charge of the Puyallups, a copy of which will accompany this report, that they have received for produce sold and labor done for whites outside the sum of \$6,215. I have not yet received reports from any of the other reservations except the Chehalis, a copy of which is herewith transmitted. The crop upon this reservation has been harvested and secured from the rains some time since, which is what few farmers in the country can say of their crops. I have, in order to induce the Indians all to work, instructed the employes to inform them that unless they work they will not have any share in the crop; and not only to teach them so, but to enforce the rule. We have yet some difficulty in our endeavors to overcome those old habits and practices which, to a considerable degree, still linger among them: I allude to polygamy, the flattening the heads of their children, necromancy in the healing of the sick, and the murder of the necromancer in case of a fatal termination of the disease. They have murdered two of their doctors since I have been in charge, and made an attempt to murder the third; but I think I have succeeded in alarming them to such a degree that they will not again commit the act. Some few weeks

ago some of the Nisquallies came to me and asked me if I would not reverse my decision in regard to their right to kill their doctors; they said one of their doctors had caused the death of one of their best women, and they thought he ought to die; but I told them emphatically that if they killed him every one engaged in it should be hung—so the doctor has not been killed. Occasionally a case occurs, where the parties have been drinking, that an Indian gets killed. A case of this kind occurred on the Chehalis river, several miles above the reservation, about a month and a half since. An Indian, about thirty years of age, made an attack on his father-in-law, who stabbed the young man in the abdomen, which caused his death in a few days; surgical aid was secured, but he could not be saved. A very short time afterwards a friend of the young Indian killed the old man. The only way to put a stop to those tragedies, in my judgment, is to make an example of the offenders by a prosecution in a criminal court. If this was done, and a conviction of the criminal, there would be no more cases of murder among them. I have given them to understand that such will be the proceedings hereafter. I think it will have its effect.

This is the eleventh year of the Medicine Creek treaty, and very little, considering the amount of money appropriated by the government, has been accomplished. In that length of time the Indians, under the care of good, honest, religious, and practical men, would have been far advanced in civilization; but, unfortunately for them and the government, no interest has been taken in their welfare. The pay at the end of the quarter was the great desideratum. Their knowledge of agriculture and mechanics in eleven years ought to have been far in advance of what it is. Nine years more, and the treaty of Medicine Creek will have expired, and almost all that the government contemplated in reference to these tribes is yet to be accomplished. The object of the government, as I understand it, is to prepare them to take care of themselves when the twenty years shall have been fulfilled. In order, therefore, to enable them to do this, the farmer must give them a practical idea of agriculture; the carpenter must instruct them in the art of building houses, &c.; the blacksmith must learn them the use of his tools, in order that they may be able to repair or make their own ploughs, hoes, axes, &c. The employes upon the reservations at the present time fully understand their duties to the government and the Indians, and will, I have no doubt, faithfully discharge them. None of my predecessors have ever given instructions to the carpenter or blacksmith to take an apprentice. There are a number of boys, some of whom are half-breeds, who ought to be at trades, and it is my purpose, so soon as I can make proper arrangements for their board and lodging, to have them learning carpentering and blacksmithing. I have one already learning the blacksmith's trade, and he is making great proficiency. Our school, owing to the death of Mrs. Wylie, who was employed as teacher, and for want of a house, and the means to prepare one, has been suspended for the present. Accompanying this report I transmit the report of C. H. Spinning, the physician, which will furnish you with all the information necessary as to the diseases among the Indians and their treatment, with some important suggestions. I would respectfully call your attention to the agreement on the part of the government found in the 10th article of the treaty of Medicine Creek: "The expenses of the said school, shops, employes, and medical attendance, to be defrayed by the United States, and not deducted from the annuities."

Now, sir, for some cause unknown to me, there has been a deficiency in the incidental fund for this service, and I have not been able to meet the expenses which are necessary to keep up the school, and supply the carpenter and blacksmith with material to carry on their work without using other funds.

And furthermore, in the remittance for the 1st and 2d quarters 1865, there was a deficit in the employes' fund and fund for beneficial objects, amounting to ninety dollars and fifty cents, which should be forwarded. If the incidental funds for the 1st and 2d quarters 1864 had been remitted, as they should have been, there would have been no necessity for intrrenching upon other funds.

I believe, sir, I have called your attention to all the points of importance necessary for you to consider at the present time.

Very respectfully, your obedient servant,

A. R. ELDER,

United States Indian Agent, Washington Territory.

Hon. W. H. WATERMAN,

Sup't Indian Affairs, Olympia, Washington Territory.

No. 5 A.

PUYALLUP RESERVATION, June 30, 1865.

SIR: I have the honor to transmit my annual report for the year ending June 30, 1865.

The whole number of Indians receiving medical treatment during the year was 180. Of that number, but one died while under my treatment. There were other deaths among those who were sick, that were induced to abandon my treatment and adopt that of their own doctors. The demand for medicine is yearly on the increase; not that they are becoming more sickly, but they are giving up their old ideas of necromancy, and adopting the more sensible practice of the whites. I am well satisfied, from my own observation, that disease is on the decrease among them. Those under my charge are becoming more industrious, more cleanly, and more temperate, and consequently more healthy. I would most respectfully suggest that all subordinates be instructed to prevent polygamy among the different tribes over which they are placed as employes. Aside from moral considerations, the great advantage in a sanitary point of view would amply pay for the time and trouble of enforcing the order, were it given. I would also recommend that a fine be imposed, or a penalty be inflicted, upon all those Indians who attempt to cure the sick by incantation. They do a great deal of harm by inducing convalescent patients to adopt their mode of treatment, thereby causing relapse and death. Were the sick Indians called to one point, either with or without hospital accommodations, they could be much more successfully treated. They are dispersed over such a vast extent of territory that it is impossible to search them all out, and in their isolation render the same assistance that could be provided were they all on one reservation. From my observation within the last two or three years they are on the increase. The foregoing report is most respectfully submitted.

C. H. SPINNING, *Physician.*

A. R. ELDER, Esq.,

United States Indian Agent, Olympia, Washington Territory.

No. 5 B.

PUYALLUP RESERVATION, W. T., June 30, 1865.

SIR: The undersigned has the honor to make the following annual report: For the year ending June 30, 1865, there have been raised on this reserva-

tion 225 tons of hay, of which Winsor & Laman bought (standing) 150 tons; cut for the use of government cattle 32 tons. The Indians have raised and sold for their own benefit 2,000 pounds of timothy seed, at 7 cents per pound; 7,000 bushels of potatoes, 3,000 of which they sold at the rate of 75 cents per bushel; the remaining 4,000 were consumed by the Indians, and used for seed, and feed for their hogs; wheat, 300 bushels; oats, 400 bushels; peas, 500 bushels; carrots, beets, and turnips, 1,500 bushels. They have sold beef-cattle to the amount of.....	\$500
Hogs.....	200
Chickens.....	50
Game and furs.....	400
Fish.....	500
Cash received for work done for whites.....	2, 000
Timothy seed.....	140
Potatoes.....	2, 250
Grass to Winsor & Laman.....	175
Total amount.....	6, 215

The Indians have a fine crop growing the present season, and they appear to be perfectly contented. I can see a great improvement in them; they are advancing towards civilization as fast as can be expected. The most of them take pride in imitating the white settlers of the country in their manner of living.

The above is respectfully submitted.

WILLIAM BILLINGS, *Assistant Farmer.*

A. R. ELDER, Esq., *U. S. Indian Agent.*

No. 5 C.

CHEHALIS RESERVATION, *September 7, 1865.*

SIR: In compliance with your request, I herewith furnish you with a brief statement of the present condition of the Chehalis Indians. There are at least six hundred of these Indians now living. Of this number five hundred may, perhaps, be found at different points between the head waters of the Chehalis and Gray's Harbor, including a distance of one hundred miles. No section of Washington Territory offers greater inducements to eastern men than that of the Chehalis valley. The Indians understand this, and look with fearful apprehension to the future. They ask why it is that the government does not furnish them with a permanent home and annuities, as it does other tribes. They say they were always friendly to the whites; they took no part with other tribes in the war against the whites; therefore, they think they ought to be treated with and placed upon an equal footing with other tribes. The reservation which has been set apart for the Chehalis Indians, and of which I now have charge as farmer, is in a flourishing condition, but I find it difficult to act the part of farmer, physician, teacher and carpenter, and cannot long without doing injury to the cause. This reserve needs at least two good farmers and a teacher. I think if the government would treat with these Indians, and confirm that which has been already done, there would be no difficulty soon in making the Chehalis reservation the most civilized and prosperous reservation in the Territory. I think all of the Upper Chehalis and a portion of the Cowlitz tribe can be induced to come here. There is but a remnant of the Cowlitz tribe

left. Most of the Gray's Harbor Indians would be glad to come here, provided I will furnish material for houses, and also allow them to visit their old fishing-ground occasionally. To-day I have made arrangements to receive a few of their number. Those of the Chehalis Indians at Shoalwater Bay ought to be induced to come. They obtain a living by assisting the whites in culling oysters, and find no difficulty in obtaining just whiskey enough to make them miserable. The Mount's farm, which was purchased for the Indians last winter, is one of the most valuable farms in the Territory, and might, by proper management, in connexion with their other lands, be made to support all of the Cowlitz, Chehalis and Shoal Water Bay Indians. Much needs to be done here to make this reservation an independent institution. I have endeavored to do my duty here, but one man alone on a reservation can effect but little.

Produce—hay, 30 tons; oats, 350 bushels; wheat, 400 bushels; potatoes, 450 bushels. Horses belonging to Indians 96; cattle, 12.

Very respectfully,

JOSEPH HUBBARD, *Farmer.*

A. R. ELDER, Esq., *Indian Agent, W. T.*

No. 6.

SKOKOMISH INDIAN RESERVATION,
Washington Territory, July 20, 1865.

SIR : I have the honor to submit the following as my annual report : I am sorry to have nothing encouraging to report. The Indians under my charge remain in about the same condition as when my predecessor (Mr. Purdy) last reported. As a general thing their health is bad, and during the past year many of them have died. This is caused in a great measure, I think, by the use of bad whiskey, which I find they all drink whenever they can get it.

In consequence of so much drunkenness among the Indians—especially the Sklallams—it was thought advisable to station Mr. Pettygrove (one of the employes on this reservation) at Fort Townsend, whose duty it is made to keep an eye on those worthless white men who furnish Indians with whiskey, and if possible have them arrested and punished.

The improvements on the reservation have advanced some little since last report. I have had over fifty acres of land slashed and burnt off, and a part of it sowed down in timothy. Two frame dwelling-houses have been erected, and an orchard of four acres enclosed and set with over six hundred fruit trees.

So far, it has been found impossible to induce the Sklallams, and other bands of Indians belonging to this agency, to reside on the reservation. The Skokomish band, all, I believe, make this place their home, and seem to be well satisfied, and take quite an interest in the improvements going on upon the reservation. This tribe have planted on the reservation for three years, but owing to the small quantity of cleared lands they have not produced much. In future there will be cleared land enough for all that will work. This, it is hoped, will induce many of them to engage in farming on a more extensive scale, and perhaps influence some of the Sklallams to come and do likewise.

The soil on this reservation is well adapted to the culture of timothy and clover, and I am of the opinion that fifty acres in addition to that already in cultivation and set with grass, would make this reservation self-sustaining.

To bring about this desirable end, I would recommend the sale of the timber immediately adjoining the Purdy farm. The soil where this timber stands is very good, and after the timber is cut and hauled off, then the land could be cleared up ready for sowing in grass, with the proceeds arising from the sale of timber, which would add, at least, fifty acres more to the reservation farm, making an improvement that would be worth more than the timber ever will.

I am not able to make an estimate of the growing crop. The army worm, I think from present appearance, will entirely destroy it. For particulars I refer you to the farmer's report, which is herewith attached. I also respectfully refer you to the carpenter's report, which you will also find herewith attached.

Very respectfully, your obedient servant,

JOHN T. KNOX,
United States Sub-Agent.

Hon. W. H. WATERMAN,
Superintendent Indian Affairs, W. T.

No. 6 A.

SKOKOMISH INDIAN RESERVATION, *July 17, 1865.*

SIR: In accordance with your instructions, I herewith submit my annual report of the farming department of this reservation. I took charge here the first of March, 1865, and on taking charge the weather was so that I could not begin farming till about the first of April. I then ploughed and planted about four acres of potatoes, two and a half of peas, on the reservation farming land. I then assisted the Indians in ploughing and planting potatoes, peas, and other garden vegetables for their own use. Since then I have been repairing fences, hoeing and ploughing potatoes, and such other work as is required on a farm. On the tenth of July I commenced cutting hay, which is very good this season. I am sorry to say that the army worm has made its appearance, and is destroying the potatoes and peas, and I fear if it does not abate there will be no potatoes raised this season. I think, considering the difficulties I have had in getting the Indians to work profitably, that I have reason to feel satisfied with the results of the year, and I think another year will prove still better than this.

Very respectfully, your obedient servant,

F. FORD,
Farmer, Skokomish Indian Reservation.

J. T. KNOX, *Sub-Indian Agent.*

No. 7.

YAKAMA INDIAN RESERVATION, *July 22, 1865.*

SIR: In compliance with the regulations of the department, I have the honor of submitting the following as my first annual report:

I was appointed to this agency in June, 1864, but did not obtain possession of the office and property of the agency until the first of October. When I took possession the Indians were very much dissatisfied with the doings of the former agent. They had been employed to work, and vouchers to the amount of thousands of dollars had been issued to them, with the

assurance that soon money would be received and payment would be made. He had paid a large portion of said vouchers with annuity goods at extravagant prices. He had, directly and indirectly, influenced them to sell their vouchers at prices differing from twenty to fifty cents on the dollar. He had taken their goods off the reservation (as the Indians believed) and sold them to the whites, and had used their goods in clothing himself and family. This breach of faith, with the influence brought to bear upon them from the enemies of our government, made it difficult to restore confidence.

Soon after I took possession I received from the department \$1,321 38, which was still due the Indians on old claims. This was immediately paid out to them on dues that had been standing from one to five years. This payment operated like a charm; it revived their spirits, checked their tears, and made it comparatively easy to induce them to be loyal to the government.

This reservation is well located for the peace, purity, and general prosperity of the Indian. It is a healthy climate, fine grazing country, a good outlet to the mountains for hunting purposes—remote from town and whiskey influences—containing a sufficiency of good land for farming purposes, and fine streams of water abounding with the best salmon in the world. The buildings at the agency are abundant in number, and are suitable for the families, shops, schools, church and storehouses.

The reservation mills are in good repair, and are capable of doing the work needed. We keep but one miller, who is capable of keeping the mills in repair, and, with the aid we give him in Indian help, can do all the work. This is a saving of money to the department, and helping the Indians to work and means.

The reservation farm has in crops about sixty acres of wheat, thirty acres of oats, two of peas, four of potatoes, four of corn, one of turnips, and half an acre in beets, carrots, onions, and garden vegetables.

The crops here will be light, in consequence of the drought. The fall was dry, the winter cold, and the spring and summer almost wholly without rain.

We keep but one farmer, and pay and hire Indians with the salary of the other. H. C. Thompson, our former superintendent of farming, resigned on account of poor health; as yet we have not filled his place.

THE SCHOOL FARM.

This farm has been made by the boys of the Indian schools, under the supervision of the superintendent of instruction.

There is enclosed about eighty acres: seventy-five acres have been put in winter wheat, five acres in spring wheat, one acre of peas, three of corn, and two in beets, carrots, onions, and all kinds of vegetables needed for the subsistence of the children of the Indian schools.

THIS FARM HAS BEEN A SUCCESS.

The past year we raised about three hundred and fifty bushels of wheat, with corn, potatoes, and vegetables sufficient to subsist the children.

Here the boys are taught to farm, and the benefit of good cultivation. The influence of this example affects all the surrounding neighborhood.

THE INDIAN SCHOOLS.

William Wright is superintendent of instruction; Reverend W. C. Chattin and Mrs. L. A. Wilbur are teachers. Mr. Chattin confines his labors to the school-room from 9 a. m. to 4 p. m., with an hour's intermission. Here the children are taught to spell, read, write, geography, and arithmetic. They have made commendable improvement in their studies.

Mrs. Wilbur instructs the girls in knitting, sewing, cutting, and making

their dresses and the clothes for the boys ; so there is no expense outside of the provisions of the treaty. In addition to the above work, Mrs. Wilbur teaches the Indian women to knit, spin, sew, cut and make clothing for themselves and families.

Mrs. Wright has charge of the boarding department, and in patient, continuous well-doing for a number of years in said department has effected a great change for the better.

The superintendent of instruction takes supervision of the schools, boarding, clothing, and working of the children in the shops and on the farm. He has been teaching the larger boys of the schools to make shoes and harness, and their improvement in these branches is astonishing. These schools are of vital importance in giving stability to the people, and hope in the future to the rising generation.

THE INDIAN FARMS.

Last fall they put in about two hundred acres of winter wheat, and will reap but a moderate harvest on account of drought.

They have, I judge, near two thousand acres fenced, and from one thousand to twelve hundred acres in crops. We broke for them at least one hundred and fifty acres of new land last spring. They are making permanent improvements on their lands, in building houses, ditching, fencing, digging wells, &c. There is a growing interest in every part of the reservation in farming.

THEIR PROPENSITY TO GAMBLE.

They, like all heathens, (and I wish I could confine the remark alone to the heathen proper,) have been greatly addicted to gambling. This vice has diminished the past year more than one-half. I have in some instances imprisoned for this practice, and required the party obtaining property or money to restore it, and the effect has been universally good.

I have been vigilant in arresting Indians that have stolen from the whites, and made them restore two-fold, and spend a season, as convicts, with a ball and chain. The same course has been taken in arresting whites who have been stealing from the Indians or engaged in the liquor traffic.

The Indians of this reserve would not use intoxicating liquors if they were not pressed upon them by the unprincipled whites ; such men are passing through the country, stealing horses, robbing and murdering ; when there is the least show of putting it upon the Indians, he is made their scapegoat, while they pass in society as gentlemen.

The law of the department is stringent, prohibiting the sale of liquor to the Indians, but should be more so if possible. When the Indians become intoxicated, they rob them of their property, ravish their women, and contract a debt that the innocent whites must pay in fear, flight, and blood. My observation for more than eighteen years in this country bears me out in saying that nine-tenths—and I verily believe ninety-nine hundredths—of all the trouble, expense of time, treasure and blood, is traceable to the wrongs above alluded to.

The remedy is to have no men in the service, either as agents or employes, who in any degree sympathise with such men or practices. Religion, and its practical effects upon the Indian, are as marked as upon the whites. During the past year there has been a great and good influence affecting their hearts and lives, which has been pleasing to the good and happy —, to the Indian fairy. About eighty have professed to wake up from the night of sin to Gospel day and glorious hopes of a future bliss. This change has been apparent in the brotherly feeling exhibited by them towards the whites and their own people, in a disposition to put away a plurality of wives, and

in an eagerness to know the mind of God as revealed in the Bible, that they might be obedient to all His holy commands. Most of them have been married, baptized, and received as probationists into the church. Forty had previously joined in full communion, and four out of the forty had been licensed to exhort their people to "flee the wrath to come, and lay hold on eternal life." Three remained faithful in their calling, and God has taken the fourth.

We preach to them every Sabbath, and have from one to six hundred in our congregation. They have their prayer-meetings during the week in the different neighborhoods. The voice of singing is heard in their tabernacles, and ardent prayer, that opens heaven and brings a blessing, is offered morning and evening; the good on earth, and in heaven, rejoicing in the change wrought.

In a report I made some months since, I urged the importance of an appropriation of a thousand or fifteen hundred dollars to defray expenses that must be incurred in bringing the Indians upon the reservation. The importance of this I see more and more, as the white settlers are increasing.

I would call your attention to the importance of prompt pay. The value of legal-tenders in the market, as they have been and are at this time, makes the compensation for services low, if the money is promptly paid; but if we wait from six to twelve months after the work is performed, it embarrasses all our efforts, and makes it difficult to get and keep suitable families upon the reserve. This is doubly true in reference to the money that goes to the Indians.

It is my policy to dispense with as many of the white employes as I can, and bring in the Indians to do the work and receive the pay. We have now upon this reservation Indians that are capable of taking a team of five or six yoke of oxen and plough, or a span of horses and wagon, or even two upon a wagon, and go to Rockland, a distance of sixty-five miles, and bring in freight for the agency, as well as any white man we can hire.

I take pleasure in acknowledging a donation of Sunday-school books from the Sunday-school Union of the Methodist Episcopal Church, of fifty dollars; and fifteen dollars' worth in books from the American Tract Society; also about eighty dollars' worth in Bibles from the American Bible Society; in all say one hundred and forty-five dollars. These donations were for the Indian schools.

I cannot close my report without urging the importance of having upon this, and all our Indian reservations, men who fear God and depart from evil, and work righteousness among them. Give the Indians good men to live among them, to guard their interests, to control their habits, to teach them the ways of truth, by precept and example, and you secure their confidence and love, make permanent their friendship to the whites, and raise them to honor, glory, immortality, and eternal life.

Very respectfully, your obedient servant,

JAMES H. WILBUR,

United States Indian Agent.

HON. W. H. WATERMAN,

Superintendent of Indian Affairs, Washington Territory.

No. 7 A.

YAKAMA INDIAN AGENCY,
Washington Territory, June 30, 1865.

SIR: In compliance with your request, I have the honor to submit the following brief report as superintendent of teaching for the Yakamas:

A school has been in operation during the year at the agency. The average number of scholars in attendance has been about twenty-nine. The names and ages of the scholars are as follows:

NAMES.	AGE.	NAMES.	AGE.
Daniel Boon.....	21	Paul.....	7
C. H. Hale.....	18	Luke.....	7
I. I. Stevens.....	18	Hampton.....	6
Oliver Lewis.....	16	Chamill.....	10
Tecumseh Yahotowit.....	15	Kate McKay.....	11
Christopher Columbus.....	15	Jenny Lind.....	11
William Penn.....	14	Ursulia Lumley.....	11
Henry Clay.....	13	Bella Wilber.....	11
David Price.....	13	Ellen Grant.....	11
Assulia Lumley.....	13	Maria McKay.....	9
Ben Grant.....	11	Mira Yahotowit.....	9
Abe Lincoln.....	11	Elizabeth Spencer.....	9
Ambrose Eneas.....	11	Cozene Eneas.....	8
Joseph Eneas.....	10	Mary Ann.....	10
Mark.....	8		

The health of the scholars has been good during the year, but one death having occurred. James McKay, a good and very promising boy, died, aged about fifteen years.

Two young men, George Waters and Goke Helm, who united with our school when it was first organized, and were the most advanced of the scholars, recently left the school, have married, selected land to cultivate, and are now working for themselves. Three new scholars have been admitted to the school during the year, and the same number left during this period.

The school farm is located about two miles from the agency. The soil is good. The number of acres fenced in is eighty, of which about forty-five acres are under cultivation. Three hundred and fifty bushels of wheat, one hundred and fifty bushels of potatoes, and twenty-five bushels of peas, were raised last year at the farm—value of the products, \$662 50. From present appearances, the crops of this year will not be so large as last year. Five bushels of rye, and thirty-two bushels of wheat, the product of the school farm, were sold during the year. The amount received therefor was fifty-three dollars and fifty cents. This amount was expended for cloth and other material for making clothing for the scholars.

The clothing made for the scholars, and the value of the labor, were as follows: Fifty-one pair pants, \$51; seventy-three dresses, \$73; eighty shirts, \$40; thirty-seven aprons, \$18 50; eleven bed-ticks, \$5 50; eleven undershirts, \$5 50; fifteen coats, \$15; fifteen pairs of stockings knit, \$7 50; one hundred and twenty-five dozen candles, \$31 25; four barrels soap, \$20; making other articles, \$34; total value, \$301 25.

The clothing was cut out by Mrs. L. A. Wilbur, teacher, and the school-girls assisted her in making the same. The greater part of the following work was performed during the year by the school-boys, under the direction of my predecessor, Rev. James H. Wilbur :

Making improvements on road from Fort Simcoe to Rockland, and from Fort Simcoe to reservation mills—value of labor....	\$25 00
Services rendered as teamster in hauling supplies from Rock- land to Fort Simcoe.....	25 00
Cutting and hauling wood.....	180 00
Hauling lumber and making threshing floor.....	45 00
Services rendered as shepherd.....	60 00
Total value of the foregoing labor.....	335 00

The articles made and repaired in the workshop, and the value of the labor, was as follows :

Making forty-two pairs of boys' shoes.....	\$44 25
Repairing boots, shoes, and harness	46 50
Making side-straps, hame-straps, pole-straps, martingales, bridles cruppers, &c.....	7 75
Cleaning, oiling and repairing three sets of team harness.....	24 00
Making three sets of team harness.....	60 00
Making three sets of short-tug team harness.....	48 00
Total value.....	230 50

The greater part of the above work was done by five Indian boys, who were instructed and assisted by the undersigned. The shoes manufactured were all issued to the school children. Of the harness above mentioned four sets were issued to the Indians. The other work was done for the agency and for the Indians in the neighborhood.

RECAPITULATION.

The value of the products of the school farm was.....	\$662 50
of the labor making clothing, &c.....	301 25
of the labor improving roads, &c.....	335 00
of the labor making shoes, harness, &c.....	230 50
Total value of products of farm, and labor performed....	1, 529 25

It would be well, I think, if the industrial department of the school were furnished with three or four sets of harness-maker's tools, and a liberal supply of leather, hames, bits, rings, buckles, &c. With a supply of leather always on hand, a number of boys could be kept constantly at work, and would advance more rapidly in learning, and this branch of our labor be made more thrifty than at present. If the sum of five hundred dollars was expended annually for such articles, and made into plough harness, bridles, &c., by the boys of the Indian school, it would prove a profitable investment for the Indians, and afford the scholars an opportunity of learning a useful trade, which could be turned to good account by them. I am of the opinion that if the wishes of the Indians were consulted, they would readily consent to have a portion of their annuity money so applied.

Respectfully submitted :

WILLIAM WRIGHT,
Superintendent of Teaching

Rev. JAMES H. WILBUR,
Indian Agent, Washington Territory.

No. 7 B.

YAKAMA INDIAN AGENCY.

Fort Simcoe, Washington Territory, June 30, 1865.

SIR: In compliance with the regulations of the Indian department, I have the honor to submit the following annual report for the fiscal year commencing July 1, 1864, and ending June 30, 1865.

The following is a statement of the number of patients specially treated in each quarter, and also the number to whom medicines were issued at the office.

<i>First quarter.</i> —For chills and fevers, Indians.....	42
For chills and fevers, whites.....	3
Snake-bite.....	4

Total	49
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Issued medicines to.....	175
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Total	241
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<i>Second quarter.</i> —Number of Indians visited.....	6
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Number of whites visited	2
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Total number of patients.....	8
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Number of visits, Indians.....	13
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Number of visits, Indians.....	10
Number of visits, whites.....	6

Total number of visits..... 19

Number to whom medicine was issued at office 119

<i>Third quarter.</i> —Under special treatment, Indians.....	13
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Under special treatment, whites	3
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Total number of patients	16
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Visits to Indians.....	17
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Visits to whites.....	3
-----------------------	---

Total visits.....	20
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Number to whom medicines were issued at the office.....	232
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<i>Fourth quarter.</i> —Number of patients visited.....	40
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Number of patients visited.....	40
Number to whom medicines were issued at the office.....	372

Total number of patients..... 412

Total visits	57
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Number of deaths from typhoid fever.....	1
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Number of deaths from typhoid fever.....	1
Number of deaths from consumption.....	3

Number of deaths from burn	1
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Total number of deaths..... 5

RECAPITULATION.

Total number of Indians under special treatment during the year..	101
Total number of whites under special treatment during the year....	8

Total number of whites and Indians.....	109
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Total number of Indians to whom medicines were issued at this office.	996
The business in the medical department of this reservation for the last two quarters amounts, at reasonable rates, to.....	\$672 12
Respectfully submitted :	

WILLIAM MILLER, *M. D.*J. H. WILBUR, *U. S. Agent, Yakama Nation.*

No. 8.

U. S. INDIAN RESERVATION, NEEAH BAY, W. T.,
June 30, 1865.

SIR: I respectfully submit the following report of the agency under my charge, for the fiscal year ending June 30, 1865:

The general condition of the Indians is prosperous and quiet; there has been no outbreak during the past year; and having been successful in my efforts to suppress the whiskey traffic, I have the satisfaction of stating that I have not known a case of drunkenness on this reservation since my last annual report; as a natural consequence, the Indians are able to devote more time to procuring food, and generally to subsist themselves bountifully, without calling on the government for assistance.

SCHOOL.

In October last the school building was so far completed as to enable the teacher to commence taking boys to board, and he has made good progress with the few that have attended with any degree of regularity. The great obstacle to their advancement in literary attainments is the want of attention on the part of the children, and a total indifference of the parents to the benefits of education; much good has, however, been accomplished in inducing them to become cleanly and somewhat industrious, in gaining their confidence and making them realize that the school-house is their home whenever they see fit to visit it, which they do at all times when they desire a change; and we have reason to believe they will soon be more willing to be constant in their attendance, and the parents will take more interest than heretofore. I respectfully call your attention to the report of the teacher accompanying this. The teacher, in addition to his other duties, has issued medicines (which he has furnished himself) to three hundred and eighty-five patients during the year. He reports the sanitary condition of the tribe as good; no epidemics or contagious diseases. His medical report for the year is herewith submitted. The deficiency he mentions in the sum allowed for the purchase of medicines I suggest be made good to him.

AGRICULTURE.

The farming operations have thus far been limited. At Neeah bay, where the agency buildings are located, about seventeen acres have been cleared of trees and undergrowth, and eight acres enclosed by a substantial fence.

Half an acre has been fenced from the rest of the field, and one hundred apple and pear trees planted therein, which are growing and promise well; the field and orchard have been planted with potatoes. The Indians at the villages of Wasatch, Tsooess, and Hasett have about fifteen acres more under cultivation. The experiments of the past season have demonstrated the impracticability of raising other crops at this portion of the Territory, than potatoes, turnips, cabbages and other root crops; cereals will not ripen, and it has been found difficult to make hay; the humidity of the climate and the ocean fogs are unfavorable.

It is the expressed wish of the department, as in accordance with my views, to do all in our power to promote agriculture among these Indians; but so far I have not had funds for farming purposes, although there are still some \$10,000 of appropriation belonging to this agency, including the sum of \$3,000 which was appropriated the first session of the 36th Congress, in compliance with article VI of the treaty with the Makah tribe, which promises the amount for farming purposes.

In my former reports I have shown that the land of any extent suitable for cultivation is at the Indian village of Tsooess, on the Pacific coast, and within the boundaries of this reserve, some four or five miles from Neeah bay. I have repeatedly urged the necessity of funds to enable me to commence a farm at that place; and it is my intention to build a small house there immediately, to afford shelter to the farmer for the present, to enable him to build fences and break land, so as to plant next spring, when a suitable farm-house can be erected. The tenement I propose to build can be used as a tool-house. There is a good range for stock at Tsooess, and my opinion is that it will be of great advantage to devote more attention to stock-raising for the benefit of the Indians—that and potatoes being the only products that can be safely counted upon in this locality. I will again remark that these Indians are not an agricultural people, but derive their subsistence almost exclusively from the water. They have shown a greater interest than usual to gain some benefits from the earth. The example set by the farmer in his method of cultivation has, in a measure, been imitated in the patches cultivated at the villages of Hasett, Tsooess, and Wasatch. This is encouraging, and gives hope that when land can be prepared at Tsooess more will be found to avail themselves of the opportunity to plant for themselves. The farmer has succeeded in cutting trails, so that the land herewith recommended for farming can now be reached by land. I respectfully call your attention to a copy of my letter to your office in November, 1863, on the subject of the farm at Tsooess.

FISHERIES.

I have been of the opinion for a long time that one of the most practical and practicable methods of directly benefiting these Indians is by aiding them in their fisheries; they are an anomaly in the Indian service. I do not know of another tribe on the Pacific coast, subject to the control of the Indian department, so peculiarly situated as the Makahs. The waters of the Pacific and Straits of Fuca teem with life—whales, seals, halibut, cod, salmon, and a variety of smaller fish, and forms of mollusca abound, and forms the principal food of the natives. What the buffalo is to the Indians on the plains, the whale is to the Makah; nor are they contented to procure a scanty and temporary supply, but have abundance to dispose of in trade with the Indians and whites; their oil and skins they dispose of to the latter, and the dried fish to the former, in exchange for such commodities as are required by them. A little encouragement on the part of the government would enable them to develop their fisheries; they could not only be a self-supporting community as now, instead of an expense to the government, but live in a

state of civilization. Many of the men have been on vessels, and are quite expert as sailors, and understand the management of small craft. I believe it would be a good plan to take the annuity money for the purchase of a schooner of fifty or sixty tons, which could be placed in charge of one of the employes, and manned at any time by Indians. They could proceed to the fishing banks, (which are about fifteen miles from Cape Flattery,) when the weather would render it impossible for canoes to venture, and by this means procure a greater abundance of fish more speedily and with greater certainty than at present. Such a vessel could be otherwise usefully and profitably employed.

I am aware that this is a new subject for the consideration of the department, but, if properly understood, it will be conceded that it is a proposition which, if adopted, gives promise of successful results. Considering the Indians, their habits and customs, consequent upon living on the immediate coast, the ruggedness of the land, the unfavorable climate, the fact that the only husbandry to be taught is necessarily limited, I would suggest that it may be the part of wisdom and justice to endeavor, by employing means within reach, to afford them an opportunity to acquire the white man's method of conducting fisheries. These fisheries are not limited to the annual run of salmon on the rivers, but are a constant source of supply, and the Indian may avail himself of every variety during the year. Whales, halibut, and salmon make their appearance, but frequently the Indians are unable to procure all they would, in consequence of the stormy weather, and at such times a vessel would be of great assistance in enabling them to fish from her decks, and as a protection to crews of canoes which might venture out. I have omitted to mention other important fishing; the dog-fish, which is taken for its oil, from whose livers the Indians extract large quantities of oil and sell it to the whites. Codfish is taken, but never abundantly. Besides those enumerated, there are many others; all, with the exception of whales and dog-fish, are in demand by whites as food or luxuries, and I think by teaching the Indians how to preserve them, they would be a most salable article in the market.

I do not wish to be understood as wanting to do less to carry out the plans of agriculture; but I should like to do something more for the tribe, and think to encourage their fisheries is one of the wisest steps that could be taken.

The difficulties of the task may excuse me for not having accomplished more; the obstacles to be overcome in the ruggedness of the site where it was necessary to put the buildings and make the first experiments in farming, it sometimes costing fifty dollars to remove the stump of one tree; the depreciation of the currency on this coast, the disadvantages of which have borne peculiarly heavy on the Indian service in this Territory; to illustrate which, I will mention that a mechanic working on this reservation received in payment a currency available to him for only \$1 25 per day; leaving here and going to Port Angeles, Washington Territory, he accepted other government employment in building the light-house at that place, for which he received \$5 per day in gold.

ESTIMATES.

I respectfully refer you to the estimates appended, and especially to the items for the farms and construction of roads.

It will be necessary to have a road communication between the agency buildings at Neeah bay and the site of the proposed farm, some four or five miles distant; and as the route is through a forest of swamp lands, a tide prairie, and over two considerable sloughs, the amount for fencing and roads is not large.

As there are no dwellings for the agent and farmer, the amount for the purpose is suggested.

The agency being so far from any towns, which are only to be reached by water, and the necessity of travelling with hired crews between different points on the reservation, the amount for transportation and incidental expenses will be required.

Very respectfully, your obedient servant,

HENRY A. WEBSTER.

W. H. WATERMAN, Esq.,

Superintendent of Indian Affairs, Washington Territory.

No. 8 A.

MAKAH INDIAN RESERVATION,
Neeah Bay, Washington Territory, June 30, 1865.

SIR: I respectfully submit the following report of the school under my charge for the year ending June 30, 1865:

The whole number of registered scholars during the year is seventy-eight, with an average attendance of twelve.

During the months of July, August and September, 1864, the carpenters and plasterers were at work in the school-building, rendering it impossible to attempt anything in teaching.

As soon as the building was in a condition to receive pupils, I was directed by you to commence the system of boarding-school, and to procure ten boys, which I did; and during the quarter ending December 30 there were fifteen boarders, whose attendance, however, has not been very regular from causes shown in my quarterly report of December 31, 1864, and March 31, 1865.

During the quarter ending March 31 the average attendance of boarders was five, and of day scholars eight.

The past quarter, however, has not had a very good attendance, owing to the fact that all the Indians have moved away to their summer residence, taking their children with them. The children come frequently, and remain from one day to a week with me, some times two or three, then twelve or fourteen. But I cannot, in justice to myself or the children, call them scholars in any sense of the term. True, they will appear very much interested to learn a new tune, or to draw upon their slates; but they will not remain long enough at any one time to do them any good, as far as literary acquirements are concerned, and appear to easily forget what they apparently do learn while they are with me.

The question naturally arises, What good has been effected by our labors in behalf of the children? To answer this, we must not compare them with children in other reservations, because circumstances affecting the improvement of Indians differ with different localities and tribes. It is just to compare them with themselves; to compare their present state with what it was.

I may be pardoned for referring to so remote a period as the attempt of the Spaniards, in seventeen hundred and ninety, to form a settlement in this bay. The ruins of the fort they built are but a stone's-throw from our present school-house, and forms a commentary upon the state of things *then* and *now*.

The policy of the Spaniards was not a conciliatory one, and resulted in their being driven away by the hostilities of the Indians. The effects of the harsh manner of the Spaniards may be seen in the subsequent attitude of these Indians towards any white men who visited them, either for purposes of trade or who have been unfortunately wrecked upon their coast. The depredations

tions they have committed, and the many acts of open hostility, are subjects of historical record, as well as of official reports that have been made to the Indian department. The only instance in which an Indian of this tribe has been punished is that of one of the chiefs, who was arrested by your order and sent, by the United States steamer Shubrick, to Fort Steilacoom in May, 1864, for an attack made by him upon one of the keepers of the Tatoosche light-house in the preceding month of March.

Although for purposes of trade they were on comparatively good terms with the whites, yet, from the impunity with which they had committed offences, they were fearless, independent, and totally opposed to any innovation in their customs.

At the time of our commencing the work on this reservation, the children, with scarce an exception, were wild, and would run from the presence of a white man. Their habits were filthy in the extreme. The younger ones were in a state of nudity, and those who were considered clothed had no other covering than a blanket. The boys were suffered to pass their time in perfect idleness until they were large enough to assist in paddling a canoe or catching small fish, and the girls until they could be of service in the manufacture of baskets and mats, or gathering berries in their season. It seemed almost a hopeless task to try to do anything with these little savages, for I knew how much must be effected to bring them up to the standard required by our infant schools before a white child is admitted. My first commencement was to gain their confidence to make them feel that I was their friend. When I had effected this step with a few, I set them gathering shells and other objects of natural history, for which I gave them a trifling compensation by way of encouragement. They soon took an interest in the work, and others joined, until finally almost every child in the tribe has brought its little basket filled with specimens. These have been from time to time sent to the Smithsonian Institute, and have not only proved acceptable, but very valuable to the cause of science. By this simple method I have taught them two new ideas: one, that the smallest child who is able to run alone can be of service; and the other, that nothing is made in vain or without its use.

The next step was to make the children wash themselves and come dressed in a cleanly manner when they brought their collection of shells, and those who did so were, by way of encouragement and reward, taught the letters of the alphabet. I next taught them a tune, and it was not long before any child in the tribe could sing the alphabet by note. At first they came reluctantly; but as their fears wore off their number gradually increased, until the names entered upon the school-list amounted to seventy-six. But they came very irregularly, and more for purposes of play than to learn; still I encouraged them to come, even if they remained only a few hours. A number got so far advanced that they could read words of one syllable and count the numerals to twenty. But here they appeared to stop, the difficulty seeming to be their not understanding the English language. The same indifference to letters is manifested by all the children; but I am not discouraged; in fact, I would prefer that they all should learn to speak our language and understand its meaning as applied to familiar objects, before attempting to force them to a knowledge of words whose meaning they cannot comprehend. They come now just as it suits their own convenience, but when they are with me they seem contented and happy. They delight to draw upon their slates and the black-board, and to sing the tunes in the school-books. Many of them can name the States and Territories and point out the principal places on the map. They behave themselves in the house with as much propriety as white children, and appear perfectly willing to assist in any work about the premises. They have helped me plant the garden and to set out the rose-bushes and other flowering shrubs

around the school-house, and to transplant strawberry vines, raspberry, currant, and gooseberry bushes, and seem to take great interest in the ripening fruit, which they never in a single instance have molested. When the parents can be induced to take an interest in having their children taught and will encourage their coming regularly to school, and when the diffidence of the children can be overcome so that they will be willing to speak the English, I am confident they will improve in literary acquirements rapidly.

Since last October, the time when I commenced having boys to board, I have, for the purpose of carrying out your excellent views as regards economy, attempted to perform the threefold duties of teacher, physician, and housekeeper; superintending the whole of the domestic arrangements, and performing the principal duties myself, the boys being able to render but little assistance. As physician I have issued medicine during the year to three hundred and eighty-five patients, and most of the cases yielded to a single prescription; but some have required long and careful attendance, adding to my other duties those of a nurse, and turning the school-house for a time into a hospital.

My whole time has thus been constantly occupied from early in the morning until late at night, without a moment I could call my own. I have tried the present system, as I think, faithfully and thoroughly, and am fully convinced that there should be an assistant to relieve me of a portion of my duties. A teacher, to do any good or to make any marked improvement among children, either white or Indian, should have his time so arranged that he can give his undivided attention to them without interruption or distraction. If I could be entirely relieved from the housekeeping duties, the providing and cooking food, cleaning house, and other domestic matters, I think I could make far more progress with the boys, and, for the present at least, could continue to dispense medicines as well as teach the children, because I could then have the opportunity of going about with the boys, which I cannot do so long as my domestic duties confine me to the house or immediate vicinity. I find that the prejudices of the old people are gradually wearing away as regards the children coming to school, and I think on the return of the tribe to their winter quarters there will be quite as many boys with us as we can accommodate. Considering all the disadvantages we have labored under, we have no cause for doubting our ultimate success in bettering materially the condition of the children. That we have done so already can be seen by the most casual observer. Look at what the children were at the time when the old Spanish fort was built, and contrast them with the present condition of the children since the building of the school-house. They have made one great step in advance towards civilization, so far as regards their personal appearance, and in acquiring ideas of white men relative to many useful matters; and although their literary acquirements are not such as would have been attained had there been a more constant attendance at school, yet they have learned something, and with a little more diligence on their part, which I encourage in every way that I can, there is no reason to doubt that they will acquire knowledge quite as fast as they are able to comprehend.

Very respectfully, your obedient servant,

JAMES G. SWAN, *Teacher.*

HENRY A. WEBSTER, Esq.,

United States Indian Agent, Washington Territory.

No. 8 B.

SIR: I herewith transmit to you a report of farming operations done by me on the Makah Indian reservation during the year ending July 1, 1865. Last fall I harvested eight hundred and eighty-nine bushels of potatoes and a small quantity of other vegetables, which were turned to a very good use last winter by being distributed among the Indians for labor. I cleared some more land here. I also partially made a trail around the foot-hills leading from the Neeah village to Soes village, which I have completed this spring, so that I can now take the stock to Soes, where there is plenty of good stock range, without any danger of miring them. I wintered the stock at Soes last winter, and they came out very fat in the spring. I think the farmer's residence ought to be at Soes, as there is better farming land and greater stock range than there is here. I am fully convinced from my long experience that farming will never be very profitable here, on account of the humidity of the climate, and that it is out of the question to try to grow cereals here, but I do think that we can or have ameliorated the Indian condition by raising stock and vegetables and making other improvements for their use. I notice they have entirely abandoned their old trail through the swamp since I have made the new one in the hill-side, although I do not think that any one could have persuaded one of them to have done one hour's work on the new trail only for pay. I have the land that we have cleared at Neeah planted to potatoes and a few vegetables, and they are doing very well; but the season is very late, as there has been a very cold rain up to the fifteenth of June; but we are having a little fine weather now, and if it will only continue the crop may do well yet. Every one here is doing all he can to promote peace and comfort among the Indians, and I do think that, considering the location and the climate, everything is as peaceable and as prosperous as it can be.

Your obedient servant,

GEORGE JONES, *Farmer.*

H. A. WEBSTER, Esq.,
Agent Makah Indian Reservation, W. T.

No. 9.

QUINAIELT INDIAN AGENCY, *August 5, 1865.*

SIR: I have the honor herewith to enclose you my first annual report for the fractional year commencing February 13 and ending June 30, 1865. On account, as you are aware, of the location of the agency being so lately changed to the mouth of the Quinaielt river, and also taking into consideration the fact that so rough and heavy timbered a location requires the expenditure of both time and money to make it suitable for the purpose for which it was taken, the improvements at the present time are very limited.

The soil in the immediate vicinity of the agency is almost totally unfit for farming purposes, the land being covered with a very heavy growth of spruce, pine, and hemlock timber, together with a thick growth of sallal brush, which requires a great amount of labor to clear even an acre; but as we are so far from any pasture range, which makes it very inconvenient, when you want to use a yoke of oxen or a horse to have to go always ten but mostly thirty miles to get them; I say on this account we are straining every point to get as much cleared as possible, and sowed to grass before the fall rains set in, so that in another season we hope in some measure to reap the reward of our labors in having some pasture at home. I think we shall be able to get five acres ready for grass by the first of October. We have not, as you are aware, had a full set of employés as yet; therefore I

have expended some of the funds appropriated for the pay of employés in buying goods to pay the Indian laborers with that I have been hiring and encouraging in every possible way to learn to work and shift for themselves, so that in a few years they will learn to depend more on themselves and their own exertions, and not so much on their annuities and the government. Many of them, who live in the immediate vicinity of the agency, seem quite anxious to learn, and some few are already fair working hands.

Fish and game abound in large quantities, consequently they live mostly by fishing and hunting. Most of the Indians living on the Quinaiaelt are raising a patch of potatoes on the river bottom, about three miles from the agency, up the river, where there is an abundance of good farming land, after it is once cleared.

Early in the spring I finished clearing up nearly two acres of land, and enclosed it with a picket fence and planted it with potatoes, intending to fill it out with fruit-trees the coming fall; but the worms have entirely destroyed our crop for the present season.

I beg to call your attention to the fact that we are much in need of some good buildings. At present we have no carpenters' nor smiths' shops, nor any houses, with the exception of two or three shanties, and have no lumber to do any building with. I would suggest the feasibility of some lumber being shipped in with the annuity goods; and I believe that, with proper care being taken, it can be landed with safety. I wish to say a few words on the subject of education. In the immediate vicinity of the agency there are numbers of children whose parents have expressed a wish to have a school for them; and, in my opinion, it would be the means of enlightening and civilizing them to a great extent. About ten days ago an Indian by the name of Solux, living at the north point of Gray's harbor, brought some five or six bottles of whiskey from Shoalwater bay. Soon after most of the Indians were drunk, and, as usual, had a drunken fight, which resulted in one being killed—stabbed right through the body with a long knife. The Indians are parties to no treaty, but they are related in some way to many who belong to my agency, and on all such occasions the friends of the murdered party demand their pay; if this is refused, the probability is that they will pitch right into each other, and perhaps kill some five or six more. This is what I have been afraid would happen; but as yet all things are peaceable. I would also call your attention to the necessity there seems to be of having a small company of soldiers stationed here constantly. The necessity makes itself apparent from the fact that here we are so isolated that, at the least calculation, in case of emergency it would take three or four days to send an express to Olympia, and also that the Indians are constantly going to Shoalwater Bay and getting liquor, but most of the time they need not go that far; and then again, every little while some one, two, or perhaps three barrels drift ashore right on the beach, as was the case quite lately; so, under present circumstances, it is impossible to keep liquor from them. Now, if there were a few soldiers somewhere near, so that they could be called out in case of an emergency, it would be the means of preventing all such murders as the one that has so lately happened.

The Indians here seem disposed to be peaceable, but sometimes rather dissatisfied on account of the delay in the distribution of their annuities; on the whole, however, there is no room for complaint.

All of which is respectfully submitted.

JOSEPH HILL,
Sub-Indian Agent, Quinaiaelt Agency.

W. H. WATERMAN, Esq.,
Superintendent Indian Affairs, Olympia, W. T.

No. 10.

FORT COLVILLE, W. T., *July 8, 1865.*

SIR: In accordance with instructions from your office of the 17th ultimo, I have the honor to submit the following report on the condition of Indian affairs in this region:

The tribes inhabiting the district under my supervision are the Colville, Pend d'Oreilles, Upper and Lower Spokanes, Sauposelles, and Okinakanes; also one or two remnants of bands living on the Columbia, near the mouth of the Okinakane river.

A small portion of the Cœur d'Alene tribe, living near the boundary between this Territory and Idaho, may also be entitled to the benefit of your superintendency; but of this I am not certain, not having had time to visit that region. I have not had, as yet, sufficient leisure to take a census of these tribes and bands; but, from information obtained from old residents and Indians, I have estimated their numbers, in the aggregate, at about 3,200 souls.

COLVILLE INDIANS.

These Indians inhabit the Colville valley and that of the Columbia river, from Kettle Falls to a point thirty miles below, and number about 500. They are supplied, to some extent, with teams, ploughs, and a few wagons, and cultivate small fields of grain and vegetables. After putting in their spring crops they usually repair to the cammas grounds, (thirty to fifty miles east of the valley,) where they are engaged until the middle of June collecting cammas and bitter root for food.

About the middle of June the fishing season commences, when they resort to the salmon fisheries on the Columbia, where they are usually employed in catching and curing for winter consumption until September, their fields in the mean time being neglected. Though, as a tribe, they may be considered industrious and well disposed, yet there are among them several drunken vagabonds who can be induced to labor for no other purpose than to raise means for the purchase of whiskey. Drunkenness, however, prevails to a much less extent than among the Coast tribes, attributable, as I conceive, to the influence exerted by the two Catholic missionaries residing in the valley. I shall endeavor to impress upon them the importance of some of their number remaining at home and attending to their crops during the cammas and fishing seasons. I will recommend that a well-selected assortment of garden seeds and a quantity of farming tools be forwarded this fall for their use next spring. A list of the seeds and articles required shall be forwarded shortly.

LOWER PEND D'OREILLES.

These Indians (numbering about eight hundred) inhabit and cultivate a very fertile tract lying about forty miles east of the post, and in the vicinity of the St. Ignatius mission. Like those in the Colville valley, they have been partially supplied with teams, ploughs, &c., and raise considerable quantities of grain. These Indians bear a high reputation for honesty and industry, and I strongly recommend them to the favorable consideration of the department, as justice and policy alike demand that the worthy should receive the most encouragement. Having but little intercourse with whites, and living off the line of travel to the gold mines, it is to be hoped they will continue to follow their peaceful avocations unmolested.

SPOKANES.

This tribe is the largest in the district. They inhabit the country on the Spokane river, from its mouth to the boundary of Idaho, and number about one thousand. The tribe is divided into two bands called Upper and Lower Spokanes, under the rule, respectively, of the chiefs Gary and Lot. They subsist principally upon fish, game and roots, and make occasional trips to the buffalo range, to the eastward of the Flathead country. Beyond cultivating a few potato patches along the river, no farming is done by them. They are strongly averse to selling their lands to the government; do not like the whites to settle in their country; are somewhat haughty in their deportment, and refuse to accept presents from the department. They claim the right to cross on the ferry-boat free, alleging as a reason that the ferries are in their country, and of late have been rather persistent in their demands upon the ferryman to comply with their wishes. I have recently received application from several leading men of the tribe to cause the ferryman to cross them without charge, but I have explained to them that the ferry was not controlled by the Indian department, and that if they wish to cross they must pay as others do.

OKINAKANES.

This tribe is composed of several small bands living along the Okinakane river, from its confluence with the Columbia to Lake Okinakane, in the British possessions. A majority of the tribe live north of the boundary line. Those living south of this line number, as near as can be estimated, about five hundred. The tribe bears a bad reputation, and from my own observations since my arrival, I have no hesitancy in pronouncing a majority of them thieves and robbers. Living near the boundary line, they are in the constant habit of robbing from the settlers and from other Indians with impunity, and when pursued, easily effect their escape into the British possessions, where, of course, they cannot be taken except by a tedious extradition process. I would earnestly recommend that some arrangements be made by which these offenders, seeking refuge on British soil, can be delivered over to our authorities for trial and punishment without the tedious formulæ attending extradition measures. The necessity for this is apparent. For instance: an Okinakane Indian visiting the Colville valley robs a settler of his valuables, packs them upon a horse stolen for the purpose, and is half way to the line before the robbery is known. He is pursued, but effects his escape into her Majesty's dominions, and no authority hereabout can reach him. To be sure, a representation of the matter can be made to the governor of this Territory, and a requisition for the offender can be made on the governor of British Columbia, but should the offence have been committed just prior to the setting in of winter, the chances are, communication with the lower country being closed, no definite action could be taken before the following spring, and no satisfactory result attained in less than one year from the commission of the crime.

In that portion of the Okinakane tribe living near the boundary line it is exceedingly difficult to make the proper distinction between those entitled to benefit from our government and those of British Columbia, as they are migratory in habit, and the line may be said to cut the tribe in two. My own opinion is that only those who winter on this side can properly be considered as coming under our supervision; or, do those who cultivate on this side during summer belong to us?

Delegations from all the above tribes and bands have visited me, and all have expressed an unwillingness to relinquish their title to their lands. This

subject was first brought up by themselves, they having by some means received the impression that I was authorized to negotiate terms of relinquishment. I have placed them right in regard to this matter by explaining to them what my duties really are.

Owing to my having been in charge but six weeks, and the large extent of country inhabited by these Indians, this report is necessarily brief and incomplete.

I propose starting in a few days to visit some of the principal encampments, from one hundred to one hundred and fifty miles from this post, and on my return will forward to your office such additional information as I may be able to collect.

Very respectfully, sir, your obedient servant,

GEORGE A. PAIGE,

In charge Colville and Spokane Indians.

W. H. WATERMAN, Esq.,

Superintendent Indian Affairs for W. T., Olympia, W. T.

No. 10 B.

FORT COLVILLE, W. T., August 4, 1865.

SIR: Having just returned from a trip to Lake Pend d'Orville and the Upper Spokane country, I desire to submit the following information concerning the Indians inhabiting those regions, and to request that the same be made supplemental to my report of the 12th ultimo:

Taking with me an intelligent Colville Indian whom I had employed as guide and packer, I proceeded on the 12th ultimo up the Colville valley on its western side for about forty-five miles, and crossing the mountains by a trail, reached the Little Spokane on the 15th. Here we found about 350 Indians engaged in erecting fish weirs—among them Gairy, chief of the Upper Spokanes, who has been educated and speaks good English. Some of these Indians I ascertained to be the owners of small farms and grain-fields, located from fifteen to twenty miles above the fishery, in the vicinity of Spokane plains, and near the Walla-Walla and Kootenai trail. During the few hours I remained at this encampment several complaints or damages done to their crops by the animals of packers and drovers were made, most of which upon a subsequent investigation I found to be well grounded. Promising them that every effort on my part should be made to recover damages, and taking Gairy as interpreter, I pushed on up the river to inspect their farms and estimate the damage. Some of the fields under cultivation are quite large, and bear evidence of considerable thrift, considering the limited means of the Indians, who have heretofore steadily declined to receive assistance from the Indian department. Two or three are owners of small bands of cattle, and most of the fields are enclosed by good substantial fences. Two of these fields, containing some five or six acres each, had been broken into and the crops wholly destroyed by the cattle of a drover, who, at the time of my visit, was encamped in the neighborhood. I compelled this person, after some difficulty, to satisfy the owner of one of these fields; but ascertaining that the other belonged to a Cœur d'Alene Indian, and that its location is a short distance east of the Idaho line, I declined to act in the matter further than to advise him to refer the complaints to the Idaho agent. Other damages of a similar character had also been done by pack-trains passing through their country, but as the parties were hundreds of miles away, I was of course unable to do anything in the matter, further than to advise the Indians to keep their fences in repair and remain at home to watch their crops.

In numbers these Indians, the Spokanes, exceed the estimate contained in my report of the 12th ultimo, by at least two hundred. It appeared to me that a majority of the Upper Spokanes were struggling against many difficulties to get an honest living independent of the government; but so long as the thoroughfares through their country to the mines continue to be thronged by persons who pay no regard to the rights of the Indian, I fear that all their efforts will be unavailing. About sixty of the Cœur d'Alene tribe may be properly considered as belonging to this Territory; the balance of the tribe reside east of the Cœur d'Alene mountains, in Idaho. Some of these Indians, the Spokanes, expressed a willingness to treat with the government for the cession of their lands, but a majority were opposed to this step. It affords me pleasure, however, to state that the most intelligent and industrious were in favor of a treaty, and I have no doubt that as soon as the matter can be properly represented to them, and they be made to see the benefits accruing from such a course, a large majority will consent to a treaty.

About Lake Pend d'Oreille but few Indians were to be seen, they having gone down to the salmon fisheries on the Columbia. Those we saw belonged to the class of vagabonds who frequent the ferries and stations along the route for the purpose of gratifying their appetite for liquor. All the stopping places on this route are favorite resorts for Indians of this class, and I am fully satisfied that they can and do procure as much bad whiskey as their limited means will allow. To the industrious I promised assistance in the shape of farming implements and seeds, but to the drunken, gambling vagabonds I promised nothing but chastisement in case I caught them at these practices, a promise which I intend religiously to fulfil.

In collecting information, investigating complaints, and correcting abuses, I labor under great disadvantage for the want of an interpreter.

I am, sir, very respectfully, &c.,

GEORGE A. PAIGE,

In charge of Colville and Spokane Indians.

W. H. WATERMAN, Esq.,

Sup't Indian Affairs, Olympia, W. T.

OREGON SUPERINTENDENCY.

No. 11.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,

Salem, Oregon, December 10, 1864.

SIR: I have the honor to report to you, in relation to the Klamath, Modoc, and other tribes of Indians, that, in compliance with your instructions of June 22, last, I visited the tribes mentioned in August last, and held a preliminary conference with them upon the subject of the proposed treaty. An account of that conference was submitted to your office with my last annual report for 1864, and it is not necessary now to refer to it.

Superintendent A. E. Wiley, of California, who was authorized to act in conjunction with myself as commissioner to conduct the negotiations, was unable to attend, and I therefore (as instructed by you) appointed Agent William Logan, of this superintendency, to act in that capacity.

In the latter part of September I again went by the way of the Dalles and Warm Spring agency, Agent William Logan accompanying, to Fort Klamath arriving there on the 9th of October, and found a large number of Indians assembled, which number was soon increased to 1,071, all told, 710 of whom

were Klamaths, 339 Modocs, and 22 of the Yahooskin band of Snakes. These numbers include women and children as well as men. Some others were represented, although not actually present. I estimate the total number at 1,500 to 2,000 souls, which includes all represented in the treaty which was concluded on the 15th October.

The wishes and instructions of the government were very carefully and fully explained to the Indians, and they exhibited a complete willingness to become subjected to the United States, and cease depredations upon the citizens thereof, in accordance with the treaty. To the stipulations of that instrument I invite your careful attention. Its provisions are, in some respects, similar to those of other treaties heretofore negotiated with tribes in this State, but they differ from them in calling for the expenditure of smaller amounts of money, and in subjecting the Indians to a somewhat stricter control of the government.

The census of the tribes, as given in this letter, will be found to differ materially from the estimates of Major C. S. Drew and Superintendent Steele, which have been submitted to your office. The former put the number of warriors at 900, not including any of the Snakes. (See his letter of February 20, published with my annual report for 1863.) The latter estimated them (also excluding Snakes) at 1,400 warriors. (See his letter of March 5, copy of which was sent from your office to me.) The number of women and children for each warrior cannot be less than four, which would give, by Major Drew's estimate, 4,500 Indians, and by Superintendent Steele's, 7,000. I am sure that these numbers are far too large. There may be 2,000 of them, all told, certainly not more.

The country ceded by the treaty of 15th October is of vast extent, as you can see by reference to the map, say 15,000 to 20,000 square miles, and presents great diversity of topography, soil, and climate. Parts of it are barren mountains and sage plains, of no agricultural value, but probably possessing great mineral wealth. Other portions are valuable for grazing purposes, producing a large amount of nutritious grass, but containing little or no land fit for cultivation. The valleys of the Klamath lakes, Rhett lake, Goose lake, Lost river, and seven others, have much fertile soil. Some portions are well supplied with excellent timber, while in other parts there is very little. The climate of the whole region is dry, differing widely in that respect from the coast counties of Oregon, and while some parts of it enjoy a mild, equable temperature in winter, the cold in other parts is severe. Its convenient situation with reference to the mines of Idaho, eastern Oregon, and Washoe, will always assure to settlers who may locate therein a favorable market for their products.

The reservation designated by the treaty for the use of the Indians includes, besides much country almost a desert, the Upper Klamath lake or marsh, which affords great supplies of edible roots and seeds for the Indians, and much fine grazing land; and it gives them access to the Middle lake and the Klamath or Williamson river, connecting the two, for fishing purposes. It also takes in enough arable land of good quality near the mouth of Williamson river to support all the Indians which are ever likely to be placed upon it. The more extensive valleys upon the Middle and Lower lakes are not embraced within its limits. In determining the bounds of the reservation, I sought primarily to secure a tract of country which had local advantages for supporting a colony of Indians by industrial pursuits. I think this tract will satisfy this, in my judgment, the greatest demand. A second object, and one scarcely less important, was to so locate the tribes that their separation from whites would be as nearly complete as possible. This reservation is not likely to be traversed by any important line of travel, and but a small portion of it will be coveted by whites for settlement.

I consider it, in every respect, well adapted for the purpose for which it was designed.

I respectfully recommend that the treaty be sent to the Senate for ratification. When it is considered that it embraces the largest number of Indians ever included in one treaty in Oregon, that it cedes the largest area of country ever purchased at one treaty, and that it involves the expenditure of a smaller amount of money than any other important treaty, I think there can be no objection to its confirmation by the government. Upon its ratification the necessity for an additional agent will be immediate and apparent, and no delay should be made in appointing one. At the council the Indians unanimously concurred in the desire that Lindsay Applegate, of Jackson county, be appointed agent to reside among them. Mr. Applegate has been a resident of this State since 1843, is well known to the Indians, is familiar with their country, habits, and character, and his appointment would, in my opinion, be a discreet one.

Upon the ratification of the treaty, certain appropriations will be necessary to carry into effect its provisions. An estimate of what is necessary, according to my judgment, is herewith transmitted. In regard to the expense of negotiating this treaty, I will only remark, at this time, that only one-half of the appropriation (\$10,000) was placed at my disposal to be expended, and that a considerable portion of this sum remains on hand, leaving the details to be transmitted with my accounts for fourth quarter 1864. Notwithstanding the funds have been legal-tender notes, worth only forty-five and forty-six cents on the dollar, the total disbursements are less than any similar expedition of previous years.

In addition to the presents distributed at the time of holding the council, I left a quantity of flour—nearly 16,000 pounds—at Fort Klamath, to be issued to such of the Indians as chose to remain there during the winter. This will have the effect to quiet them and convince them of the good faith of the government.

After the conclusion of the treaty, while upon the return from Fort Klamath to Warm Springs, Agent Logan and myself, riding in advance of the remainder of the party, came suddenly upon two Indians, who immediately endeavored to escape to the bush. They were stopped, however, and upon examination we found them to be Snakes, of Pauline's band. I immediately caused the party to encamp, and sent out scouts in search of the camp of the main body. They were found late in the day upon Mill-ke-ke creek, about fifteen miles east of where that stream empties into the Des Chutes. Three men, three women, and two children were captured and brought into camp. They were assured that they should not be harmed, and I was congratulating myself that I had at last the long-desired opportunity of communicating with the hostile Snakes, when the five men suddenly made an attempt to seize our guns which were standing around some trees in camp. We were compelled to commence firing upon them at once, and three of them were killed, the other two escaping, badly wounded. One of these I have since learned died that night, while the other escaped to Pauline's camp and recovered. One of the women proved to be the wife of Pauline, the celebrated war chief of the Snakes, who has been the leader in the war which has been waged upon whites for so many years in that region. I brought her with the other women and children to Fort Vancouver, and turned them over to Brigadier General Alvord for safe-keeping. I rely much upon them in bringing Pauline to terms.

Pauline himself has since come in to Fort Klamath, in response to my invitation and assurance that he should be permitted to depart unharmed. Captain Kelly, in charge of that post, delivered to him my message, and received one from him to me, to the effect that he was tired of war and ready

to make peace, if he could have protection. As soon as the snow will permit me to cross the mountains, I shall go, in accordance with your instructions of October 24 last, to that country, and endeavor by means of a treaty to put a stop to the horrid state of war which has existed there for several years past.

I confidently hope to be able to report before next summer an end of hostilities and the opening of that rich mineral country to exploration and settlement.

In closing this lengthy report, I feel it my duty, as well as pleasure, to say that the assistance I received from Dr. W. C. McKay and Captain Lindsay Applegate, who acted as counsellors and interpreters to the Indians, Lieutenant Halloran, of the 1st W. T. infantry, who commanded the small military escort, and Captain Kelly and Lieutenant Underwood, stationed at Fort Klamath, was very valuable to the expedition, and aided much in producing its favorable results.

The treaty is herewith transmitted.

I have the honor to be, very respectfully, your obedient servant,

J. W. PERIT HUNTINGTON,

Superintendent Indian Affairs in Oregon.

HON. WM. P. DOLE,

Commissioner, &c., Washington, D. C.

*Brief of treaty with Klamath and Modoc Indians of Southern Oregon of
October 15, 1864.*

ARTICLE I. Cedes all right, title, and claim to a tract commencing where the forty-fourth parallel crosses the summit of the Cascade mountains; thence southward, on the dividing ridge, to the point where the rivers flowing south and west separate from those flowing northward; thence along the dividing ridge across into California to the south end of Goose lake; thence northeast to the north end of Henley lake; thence north to the forty-fourth parallel, and west to place of beginning; reserving for a place of residence for the Indians a small tract lying along the Upper and Middle Klamath lakes, the Indians to remove to the reservation immediately on the ratification of the treaty, and remain there. No whites except government officers and employes to be allowed to remain upon the reservation. Right of way across it reserved for public roads and railroads.

ARTICLE II. The United States to pay \$8,000 per annum, for five years, beginning when the treaty is ratified; \$5,000 per annum for next five years; \$3,000 per annum for next five years. These sums to be expended for the benefit of the Indians under direction of the President.

ARTICLE III. The United States to pay \$35,000 for such articles as may be advanced to the Indians at the time of signing the treaty, and for subsistence, teams, clothing, &c., for first year.

ARTICLE IV. The United States to erect, as soon as practicable after the ratification, a saw-mill, flour-mill, mechanic's shop, school buildings, &c., to be kept in repair for twenty years, and to furnish material for the mills and shops for the same time.

ARTICLE V. The United States to furnish a superintendent of farming, farmer, blacksmith, sawyer, carpenter, and wagon-maker for fifteen years, and a physician, miller, and two teachers for twenty years.

ARTICLE VI. The United States may cause part of the reservation to be surveyed and allotted in severalty, without power of alienation.

ARTICLE VII. Regulations may be made securing to the families of allottees their lands at the decease of the latter.

ARTICLE VIII. Annuities of the tribes not to be taken for debts of individuals.

ARTICLE IX. The Indians acknowledge their dependence upon the United States, and pledge themselves to peace and obedience to law and regulations.

ARTICLE X. If Indians shall drink intoxicating liquors or have them upon the reservation, their annuities may be withheld.

ARTICLE XI. The United States may at a future time locate other Indians on the reservation, the parties to the treaty not to lose any rights thereby.

ARTICLE XII. This treaty to bind the parties when ratified by the President and Senate.

Estimate of funds required by J. W. Perit Huntington, superintendent of Indian affairs, for fulfilling treaty stipulations with Klamath, Modoc, and other tribes of Indians in southern Oregon.

For first of five instalments of annuity for beneficial objects, to be expended under direction of the President, as per second article treaty of October 15, 1864.....	\$8,000 00
For subsisting Indians first year, purchase of teams, farming implements, tools, seeds, clothing, and provisions, and pay of necessary employes, as per third article treaty.....	35,000 00
For erection of saw-mill, per fourth article treaty.....	6,000 00
For erection of buildings for employes, &c., per fourth article treaty.....	3,000 00
For erection of buildings for schools, &c., per fourth article treaty.....	1,500 00
For erection of buildings for hospitals, &c., per fourth article treaty.....	800 00
For furnishing material for saw-mill, carpenter, blacksmith, and wagon and ploughmaker's shop, per fourth article treaty....	1,500 00
For pay and subsistence of one superintendent of farming, one farmer, one blacksmith, one sawyer, one carpenter, one wagon and plough maker, one physician, and two teachers, as per fifth article treaty.....	9,600 00
For erection of agency buildings.....	4,000 00
Total.....	69,400 00

J. W. PERIT HUNTINGTON,

Superintendent Indian Affairs in Oregon.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Salem, Oregon, December 10, 1864.

NOTE.—No estimate made for flouring mill provided for in fourth article, as it will not be necessary until farms are opened.

No 12.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Salem, Oregon, December 12, 1864.

SIR: With reference to the inquiries from your office in relation to the Coast Indian reservation, and the practicability and expediency of establishing a town-site reservation at the head of navigation on Yaquina bay,

under the provision of the act of Congress approved March 3, 1863, I have the honor to submit the following report :

The Coast reservation was selected by late Superintendent Joel Palmer in 1855, at a time when the western slope of the Coast mountains had been but partially explored, and was supposed to be nearly or quite worthless. The only valleys suitable for human habitation then known to exist were needed for the occupancy of the Indians, and those best informed believed that the rugged nature of the Coast range of mountains would forever debar the population of the Willamette valleys from using the harbors which were found at the estuaries of the Sinselow, Alsea, Tillamook, and Yaquina rivers. Under this belief it was quite natural that little regard should be paid to economy in appropriating territory which was considered so valueless, and consequently the Coast reservation was made very large, extending north and south about one hundred miles, and averaging in breadth about twenty. After the removal of Indians to this tract was commenced, it was found that the expense and difficulty of transporting supplies across the Coast range was so great that economy required a location for the interior tribes on the eastern slope of the range, and accordingly the rights of the settlers in a small valley known as the Grande Ronde (upon the head of Yambill river) were purchased, and that tract (townships five and six south, range seven and eight west) was added to the already large reservation, and an important agency located thereon. The total number of Indians upon this reservation is by enumeration 4,164, distributed as follows, to wit: 1,322 at Grande Ronde, 2,312 at Siletz, and 530 at Alsea. Those at Grande Ronde have no communication with the Yaquina bay, and will not be affected by anything that may transpire there.

The Siletz agency is about twenty-five miles from the ocean, seven miles from the head of navigation, upon the north fork of Yaquina bay, and thirty miles from the proposed town site, which is upon the south fork. It is located in the southern edge of a valley upon the Siletz river, and is surrounded by a district of very fertile land, sufficient, in my judgment, to support a larger number of Indians than are at all three of the agencies combined. There are other valleys of less extent further north upon the Salmon, Arstucca, and other streams which put into the ocean, upon which there are no settlements. The Alsea agency is upon the ocean, about thirty miles below the Yaquina bay, and eight miles below the Alsea. Only two-thirds of the Indians reported under the control of that agent are actually at the agency. The remainder are at the mouth of the Sinselow river, about thirty miles further down the coast, where they have been permitted to remain, because they do not interfere with the whites, and subsist themselves by fishing and a little agriculture.

The foregoing statement, if read with a map of the reservation at hand, will enable you to understand the location of the Indians, and it is apparent that a settlement of whites at the head of the south fork of Yaquina bay would be in immediate contact with Indians on both sides. Experience has always shown that such contact always results unfortunately to both whites and Indians, and in my judgment it ought to be avoided. But at the same time I think such change can be made in the disposition of the Indians as will enable the white settlements to take advantage of the facilities for transportation which the harbor of Yaquina affords, and at the same time escape the evils which joint occupancy of the same territory by whites and Indians will surely entail. There are but 530 Indians located below (south of) the bay referred to; but those of Siletz have the privilege of visiting it for fishing purposes. Fish are as abundant at the mouth of the Siletz river as at Yaquina, and ample supplies for all the Indians can be there obtained. Besides, the tribes are all advancing rapidly in agriculture, and as they have

more abundant supplies of farming products their want of fish diminishes. If all who are located below the Yaquina can be removed to places north of Siletz, there will then be no objections to throwing the whole southern half of the reservation open to settlement, and the interest of both government and Indians will be advanced—the former by being more compactly located upon land which will afford them ample subsistence, and the latter by greater economy and efficiency in their control and management. The necessity for an agency would be done away with, and its expenses avoided, while no additional expense after the removal would be entailed upon the agency at Siletz. I therefore recommend that measures be taken to remove the Indians from Sinselow, Alsea, and Yaquina to Siletz, or some of the smaller valleys further north.

If this is determined upon, the question then arises, Where shall the southern boundary of the reservation be fixed? This office is not in possession of sufficient information to enable me to express a definite opinion upon this point without a particular examination of the locality; but the boundary should undoubtedly be somewhere between the Yaquina and Siletz. The district between the two streams varies in width from seven to thirty miles, and, excepting the grist-mill belonging to the Indians near the south bank of the Siletz, and the small settlement of Indians along the shore of Yaquina, is entirely unoccupied. It is densely wooded, portions of it rugged mountains, and other portions worthless swamps, and none of it likely soon to be wanted for settlement. A line passing through some parts of this tract would undoubtedly be a proper division, but just where it should begin, how it ought to run, or where end, I cannot determine without a close examination.

In removing the Indians, (should that course be determined upon,) their consent must first be obtained, and provisions made for the expense which will be incurred. I have repeatedly called the attention of the Commissioner of Indian Affairs (*vide* my annual report for 1863 and same for 1864) to the necessity for some treaty provisions with the Coast tribes, and permanent arrangements for their control and guidance. It is unnecessary for me to repeat those suggestions at this time, but I cannot too strongly urge the attention of the department to them.

In regard to the expense attending the removal, I have not been called upon for an estimate; but it is proper, in view of the desirableness of immediate action by the government, (if action at all is determined on,) that I should submit data which will enable an appropriation to be made without the delay of again referring the matter to this office. The enclosed estimate covers, in my judgment, the necessary expenses, while it has been reduced to as low a sum as the circumstances will warrant, and it is respectfully submitted for your consideration.

You will note that my remarks have been confined mainly to the effect of the proposed measure with reference to the interests of the Indians and of the government in its relation to them. This I understand to be, strictly speaking, the scope and extent of your inquiry; but I trust I shall not be considered exceeding the limits which it is proper I should observe, if I remark briefly upon the importance to the white settlement of the opening of this bay.

The bay of Yaquina has not, as your letter seems to assume, been unknown until recently. It was known as early at least as 1849 that a harbor existed there, and so long ago as April, 1850, I happened to accompany an old resident of Benton county on a visit to this bay and the adjoining country. Vessels entered there certainly as early as 1853, and more or less have come there every year since. But the trail by which the mountains in that direction were then traversed was exceedingly rough and difficult, and it

has only recently been discovered that a road over which heavy transportation was practicable could be made. But such a road having been found and opened during the past summer by citizens, it is now evident that the central counties of middle Oregon can obtain their freight, a part of the year at least, through that channel much cheaper than by the old route of the Columbia river. If the bay and adjacent lands are thrown open to settlement, the counties of Linn, Lane, Benton, and part of Polk, (the best agricultural district of the Pacific coast,) will use it partially or wholly as a means of communication with the ocean. As a mere measure of revenue, the government ought to open this district to the public, for the town site, under the act of March 3, 1863, will probably yield more money than will several times repay the cost of removing the Indians, and the thrifty town which must grow up at the head of navigation will be no mean source of wealth to the nation as well as to the State.

I trust that this somewhat lengthy communication has, without going into all the detail, at least made these points apparent:

1st. That a joint occupancy of whites and Indians in the district referred to will be unwise, and should be avoided.

2d. That a removal of the Indians should precede any admission of whites into the reservation.

3d. That the wants of trade in an important part of this State require that access be given to the bay.

Hoping that the above will afford you satisfactory information, I have the honor to be, very respectfully, your obedient servant,

J. W. PERIT HUNTINGTON,

Superintendent of Indian Affairs in Oregon.

Hon. J. P. USHER,

Secretary of the Interior, Washington, D. C.

Estimate of funds required for the removal of Indians from the southern part of the coast reservation to the north of Siletz river.

For paying the expense of negotiating with the several tribes, including presents, &c.....	\$3,000
For expense of removing, including subsistence en route and transportation.....	6,000
For expense of subsisting the Indians first year after removal, over and above what they will be able to produce for themselves....	7,500
Total.....	<u>16,500</u>

J. W. PERIT HUNTINGTON,

Superintendent of Indian Affairs in Oregon.

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,

Salem, Oregon, December 12, 1864.

No. 13.

CORVALLIS, OREGON, December 22, 1864.

Having examined the report of J.W. P. Huntington, superintendent of Indian affairs in Oregon, in which he favors the opening of the sea-coast and its harbor to the citizens of this great valley of Oregon, I would say:

The State of Oregon was settled up by emigrants, who crossed the great plains with their families and household goods in wagons, and this mode of travel is a cheap, convenient, and practical way of getting along to us; as,

being a farming community, each household is provided with the common mode of conveyance—the wagon and team. Heretofore the farmers of the Willamette valley have had to transport their grain and produce, generally at great expense to them of transportation, on the river, handling over four times, including a portage around the falls of the Willamette river, moving it in all some 225 miles from here and 275 miles from the upper end of this valley, to the sea-shore, at the mouth of the Columbia river, occupying in transit five to seven days. In contrast, we now do with a new road, not perfect, and in 45 miles' travel, with our own means of transportation, reach salt water. Grain sells here at Corvallis at \$1, worth at least \$1 50 per bushel at Yaquina; but until opened up by action of the government we cannot build storehouses. I mention these things only that this immense interest of a State may not be too long delayed, to go through the formality (or the folly) of obtaining the consent of the Indians.

What are the facts of the case? These: The Indians are settled on the Siletz reserve, a pretty valley, amply extensive to support and maintain all the Indians Superintendent Huntington mentions, and others, and export quantities of potatoes, &c., which the Indians will do when commerce comes to this bay, and market is open only seven miles from them, and water conveyance thereto. Why? Potatoes, the easiest, most prolific crop, are worth \$1 50 a bushel on the bay to the oystermen—are worth $3\frac{1}{2}$ cents a pound in San Francisco to-day—can pay the Indians well to produce at 25 cents a bushel, or $\frac{1}{2}$ cent per pound. Again, there is a dividing ridge between the Siletz river and valley and Yaquina bay, which is a natural boundary line, and the Indians do not live on this bay, but on the Siletz river. This bay is not needed or used by them.

The superintendent says there are 2,312 Indians on the Siletz. I presume that that is the number. But of course that includes women and children, and I presume the 2,200 never were at the Yaquina bay. I often employ Indians from both reserves, and those from Alsea, or south reserve, do not come to the valley by the way of the Yaquina, but through the Alsea valley. These Indian men are of great assistance to the farmers in harvest—are as good hands as whites, and learn agricultural pursuits thereby.

There will be very little more connexion between the Indians with the bay opened to the public than as it is, for they will have still the present location, present home, and a natural barrier—the dividing ridge and swamp—save the one pass, and easily guarded, the Siletz river. We have a splendid valley of land, a never-failing source of supply to this coast of wheat and sustenance. We never have a drought in Oregon. Last year California starved, and we never had such crops in Oregon before. Our interest in this matter is immense, and no delay should occur (on account of all the Indians) in opening and inviting this travel this way.

Again, by reference to the map, you will notice the bearing this valley has on the new mining regions. It is only 120 chained miles from Corvallis, or 166 from salt water, to the east bank of the Des Chutes river, and by a new road to the John Day mines, east through the Cascade range up Santiaur river, or southeast from this bay, *via* Eugene City coast, for 16 miles to Canyon City, Boisee, and Oyhee, all of which is apparent by the map.

These Indians, in the six years past, have visited only a very limited portion of this immense reserve. They are indolent, and never wander far away from the source of supply, following the example of some military men, lacking means of transportation always.

Respectfully, and without any private interest to gratify other than as success to the Willamette valley and people, I beg leave to remain your obedient servant,

H. D. BARNARD.

HON. J. P. USHER, *Secretary of the Interior, Washington, D. C.*

CALIFORNIA SUPERINTENDENCY.

No. 14.

OFFICE OF INDIAN AFFAIRS,
San Francisco, California, September 15, 1865.

SIR: In conformity with the requirements of the department with which I am connected, I have the honor to transmit to your office this my first annual report of the condition of Indian affairs within my superintendency.

Most of the time since entering upon the duties of my office has been employed in receiving the public property from Hon. Austin Wiley, my predecessor, and in visiting the different reservations, in company with the Hon. William Higby, one of the Committee on Indian Affairs, in his examination of the condition of the Indian service in this State.

Additional duties have been required of me by the honorable Commissioner of Indian Affairs, in going to Hoopa valley, and, in connexion with the United States surveyor general and the Indian agent of that reservation, making an appraisement of the improvements of the settlers, as required by the act of Congress approved March 3, 1865; which duty has been performed, as I believe, with justice to the citizens, and will, I trust, meet with the approval of the honorable Secretary of the Interior.

In the discharge of those duties, which has occupied most of my time up to the present, and during which I have travelled over twenty-eight hundred miles, I have had the opportunity to become acquainted, by personal observation and information, with the wants and condition of the Indians on the different reservations, as well as those living in various parts of the State.

It gives me pleasure to inform the department that I have found the Indians, in the different portions of the State that I have visited, well disposed and peaceable. No fears of any further Indian troubles or difficulties need be entertained if the policy of colonization and subsisting the Indians on reservations is continued.

On the different reservations I found the Indians generally contented and satisfied, willing to engage in labor to provide for their own subsistence, in case they could be assured that the fruits of their industry would be used for their support and benefit, which I have to say has not been always the case.

There has been formerly in this State considerable difficulty attending the removal of the Indians to and retaining them on the different reservations. This trouble has arisen, in part, from an occasional failure of the crops, and from a deficiency in the supply of clothing and subsistence which they had a right to expect, and large promises have been made them to induce them to come in to the reservations, which promises have not been fulfilled.

I am pleased to notice a growing disposition among the Indians to remain and become permanently located on the reservations. They are beginning to see the necessity of, and feel the security they have in, obtaining subsistence and protection, which they could not have and obtain otherwise. Their former means of obtaining subsistence is rapidly passing away. Their lands, which heretofore supplied them with roots and seeds, are being ploughed by the husbandman. The oak and pine which gave them the acorn and nut are disappearing by the woodman's axe; fishermen occupy their fishing places, while before the unerring rifle of the backwoodsman their game, which gave them meat and skins for clothing, has passed away.

Many of the Indians have expressed a desire to come upon and remain on the reservations permanently as soon as provision can be made for their subsistence.

I have found the Indians on the reservations, as well as others, very destitute of clothing. The amount furnished them for the last three years has

been entirely inadequate to supply their wants and necessities. But few articles of clothing which they have were furnished by the government.

While the present prospect of subsisting the Indians is satisfactory, there is much to be done for their future improvement and welfare. In former years large amounts of money have been appropriated and expended in this State for the Indian service, but little remains in the way of buildings or improvements of any kind to indicate how the money has been applied. No permanent system of subsisting the Indians or improving them, either physically, morally, or intellectually, seems to have been adopted.

The many changes in the locations and the abandonment of reservations in this State have been very expensive in the removal of public property and of the Indians, and have been to them a source of very great dissatisfaction and disquietude.

I am fully of the opinion that the system of colonizing and subsisting the Indians on reservations is the only one that can be adopted successfully in this State, "considering the situation of the Indians and their relations to the citizens," and if properly conducted it will prove a real benefit to the Indians, and tend to a lasting and permanent peace between them and the citizens of the State.

To effect this desirable object, reservations should be permanently established on public lands, or on lands on which the government has absolute title and control; the claims of any citizens for improvements on such lands should be extinguished.

The policy of renting lands, which has been adopted, in part, in this State should be discontinued as soon as possible. To effect this object, an appropriation should be made either to purchase the lands now occupied as such, or to remove the Indians.

I believe that in this State the private lands on which the Indians are now located could be purchased at reasonable prices—at much less expense than would attend the removal of the public property and Indians to other reservations or new locations.

I would recommend that an appropriation be made for the purchase of the lands owned by private parties and now occupied as reservations at Tule river and Smith river. This being done, and a liberal appropriation for the purchase of stock cattle and hogs, and for permanent improvements in the way of buildings for the residence of the agents and employes and dwellings for the Indians, would prepare the way for making the different reservations in this superintendency to a great extent self-sustaining.

I would also recommend that an appropriation be made for building a school-house and employing a school teacher on each reservation. No efforts seem to have been made to educate or improve the moral or intellectual condition of the Indians in this State. While little can be done to change the habits and customs of the aged and elder Indians, those who are younger readily embrace the habits and customs of the whites, and if schools were established for their benefit would readily acquire the first rudiments of an English education.

Round Valley reservation, as surveyed and located, contains twenty-five thousand acres, and embraces all the arable land in the valley. Nearly half of this land is occupied by citizens, who claim to have entered upon and made their improvements before the survey and location of the land for reservation purposes.

I cannot too strongly recommend that a board of appraisers be appointed to make a valuation of those improvements made prior to the survey and location, and that an appropriation be made to pay the settlers a fair compensation for said improvements, and that the entire valley, with its extension as recommended by G. M. Hanson, late superintendent of the northern

district, be set apart and held for reservation purposes. The peculiar location of Round Valley is most excellent for an Indian reservation ; its isolated position, fertility of soil, climate mild and salubrious, surrounded by mountains well adapted for pasturage, make it far superior to any location that has been or can be made in the State.

On the reservation proper, twenty-seven hundred acres of land are enclosed with an excellent rail fence, and fencing is being prepared to enclose three thousand acres in addition. Lands in cultivation, one thousand and fifty-seven acres ; in wheat, corn, oats, and barley, nine hundred and fifty-five acres ; in potatoes and vegetables, one hundred and two acres.

Crops light, except potatoes, which are an entire failure, owing to the late planting and severe drought. Estimated number of bushels of wheat raised this season, and on hand from last crop, ten thousand ; of corn, five thousand ; barley and oats, three thousand and sixteen. Vegetables in abundance, except potatoes.

Number of Indians on the reservation : Pitt river, three hundred and twenty ; of the Wylachies, eighty ; Ukies, three hundred ; and Ooncowes, two hundred and forty. Total, nine hundred and forty.

In addition to this number, I expect on the reservation next month three hundred and seventy Wylachies, Humboldt and Trinity Indians from Humboldt bay, now held as prisoners, as I have advised the military department that I am prepared to receive and provide for them at Round Valley.

Four hundred still remain, and are being subsisted at Mendocino, in charge of E. J. Whipple, an employé of Round Valley reservation. Crops have been raised at that station for their subsistence the present season. I intend to remove them and the public property to Round Valley as soon as practicable.

On my arrival at Round Valley, on my last visit, I found a delegation of some forty from the Clear Lake, Ukiah, and Redwood Indians, representing eight hundred of their people, who desire to come and remain on the reservation. I have instructed the agent that they be received and provided for as soon as materials can be obtained for their dwellings.

The prospect of abundant subsistence being provided on the reservation, and the difficulty of obtaining food as formerly obtained by the Indians, will induce them to come in as fast as they can be provided for.

No difficulty is experienced in obtaining all the labor from them necessary for farming or other purposes ; they work willingly and cheerfully, and appear satisfied and contented. Preparations are being made for the erection of necessary buildings for the agent and employés, and for building a school-house. The buildings now on the reservation are erected of logs, and are of little value.

On taking charge of the public property there, I found the farm and personal property of A. P. Hotaling rented by Mr. Wiley, my predecessor, for the sum of three thousand three hundred and fifty dollars per annum, in gold coin or its equivalent, lease to expire the first of November next. I consider the rent paid very high, and the farm not wanted to produce the necessary subsistence for the Indians, and directed Captain Fairfield, the agent, to deliver to the lessor the farm and property on the expiration of the lease.

The number of cattle and calves on the reservation was represented by my predecessor to be five hundred and twenty-one, exclusive of the cows and work-cattle. They were ranging on the mountains and valleys in a circuit of some twenty miles in extent. As they were not collected, I only receipted to account for the number that could be found after due and diligent search had been made for them. I instructed the agent, immediately on my receiving the property, to employ one of the men in collecting the

cattle and bringing them in upon the pasture lands enclosed on the reservation. He reports at this date upwards of four hundred found, with a probability of finding a number more. As soon as the search is completed, the number found will, with the proper certificates, be forwarded.

Hoopa Valley reservation, recently located, is on the Trinity river, near its junction with the Klamath. It is sixteen miles in length and twelve in width, and the valley contains about twelve hundred acres. The land is not of the best quality, and will not, I think, produce more than will support the Indians now on the reservation, and those that will come in from the adjacent country. The Klamath Indians in the vicinity, numbering eighteen hundred, will, it is expected, most of them move to the reservation at an early day.

Possession was obtained of the improvements and land in the valley in February last, except the farm of Campbell and Garrett. This occasioned late planting of the crops, and the unusual drought in the valley caused almost an entire failure. Number of acres of wheat sowed, three hundred and twenty; bushels harvested, twenty-one hundred; acres of oats, eighty-two—a failure of the crop, mostly cut for hay; corn planted, thirty-six acres; potatoes, twenty-one acres, with fair crops; peas planted, sixteen acres—crop very light.

The Indians on the reservation number, at present, about six hundred and fifty. They work readily and willingly for their own subsistence, only requiring the assistance of an overseer to direct them in the labors necessary to cultivate and improve the reservation.

The location of this reservation, surrounded by mountains over which only by pack-trains can supplies for the subsistence of the Indians be transported, has required the expenditure of a large amount of money appropriated for the Indian service, and will continue to be expensive until grain can be raised in quantities sufficient to subsist the Indians without purchasing supplies.

On my visit to the reservation I found that a large quantity of flour would be needed to subsist the Indians until after harvest. I made arrangements with the military department for some twenty-three thousand pounds of flour for present use, to be returned after this year's crop is harvested, making a considerable saving to the Indian service, as flour at that time was selling in the valley at ten cents per pound in coin. The amount raised this season will not be sufficient, on account of the failure of the crop, as before stated, to replace the flour borrowed, furnish the reservation with seed, and subsist the Indians until the next crop is harvested.

Additional purchases of beef and flour will have to be made, upon which to support the Indians until next harvest, after which little money will be required in the way of purchase for subsistence.

On my arrival I found the reservation destitute of teams, except two yoke of oxen, teams of the citizens being hired by the day for farming purposes. I sent immediately to Smith River reservation for two teams, and on my visit to Tule River farm, I directed five additional teams to be sent from there. They have all arrived except two mules, which were left at Round Valley.

There has been some expense attending the transfer of these teams, but as a saving I thought that course to supply the reservation advisable. Some additional teams are needed, which will have to be purchased, and a considerable amount of funds will be necessary with which to purchase cattle and hogs.

Smith River reservation is located on a farm of twelve hundred acres, rented of Saville & Darby, at a quarterly rental of twelve hundred dollars, (\$1,200) payable in gold coin or its equivalent; also, adjoining land to the

amount of one hundred and eighty-seven acres is rented at four dollars per acre, payable also in gold, making the amount payable yearly for rent nineteen hundred and forty-eight dollars (\$1,948) in coin or its equivalent. This farm, with land adjoining, has been rented some five years.

I would recommend that the land required for the wants of the Indians be purchased from the owners, or an appropriation be made for the removal of the Indians and public property to Round Valley. I believe that a sufficient area could be purchased for a reservation, which would include all the lands necessary for agricultural and grazing purposes, with all the improvements, buildings, &c., required, with a broad outlet to the mouth of the river and the coast for fishing purposes, at a less cost than would attend the removal of the public property and the Indians to Round Valley, and the erection there of the necessary dwellings for their accommodation.

I find it necessary to continue still to lease the land, until provision is made for its purchase, or for the removal of the Indians.

The number of Indians at present on the reservation is seven hundred, consisting of Humboldts and Wylackies. They are industrious, well-disposed, and contented. Their numbers would be largely increased by additions from Smith river and Klamath river Indians, who live in the vicinity, and number about thirteen hundred, had the government a title to the land, and could they be assured of a permanent location of the reservation.

The number of acres of land in cultivation this year is three hundred and eighty-one. Of wheat and oats there are one hundred and sixty-five acres; of potatoes, peas and other vegetables, one hundred and sixty-three acres; of timothy, forty-three acres.

The crops are fair, except potatoes, which are much injured by the army worm. Abundance will be raised for subsistence the present year.

With the title to the land in the government, and a small sum for the purchase of stock cattle, this reservation should be made, in a short time, self-sustaining.

Tule River farm is in charge of G. L. Hoffman, agent appointed by Mr. Wentworth, late superintendent for the southern district, and continued up to the present.

This farm has been rented for reservation purposes for the last five years of Thomas P. Madden, at a present yearly rental of one thousand dollars, (\$1,000) and contains twelve hundred and eighty acres.

The number of Indians now being subsisted on this farm is eight hundred, mostly from Owens and Tule rivers. The general appearance and health of the Indians is good. They are willing to labor, and are contented.

The number of acres of wheat sown this season was three hundred and fifty, two hundred and fifty acres of which was an entire failure on account of the drought, it having been sown late and on upland; one hundred thousand pounds only having been harvested. Forty acres of barley were raised; crop very light, only producing thirty-five hundred pounds. Forty acres of corn; light crop anticipated. Thirty-four acres in sweet potatoes, beans and pumpkins, which promise a good crop.

Although the grain sown on this farm has suffered so much from the drought, I believe a sufficient amount has been raised to subsist the Indians until the next harvest. Besides the crops produced under the supervision of the agent, the Indians have raised some sixty thousand pounds of wheat and corn, on the lands of the farm which had been allowed them for their own use and cultivation.

The only buildings on the farm are an adobe house, unfurnished, which is used for the residence of the agent and employes, and two temporary sheds for the protection of the farming implements.

The lands owned by Mr. Madden could, I believe, be purchased at a fair

valuation, and that farm, in connexion with the public lands adjacent, would constitute a reservation sufficient in capacity and fertility to colonize and subsist all the Indians in the southern portion of the State, which it would be necessary to remove to a reservation. I would advise the purchase of the farm on the score of economy and policy. The Indians are satisfied with their present location, and the expense of removal and of improving a new place would far exceed the outlay required in the purchase of the land aforesaid.

As the lease of said farm expired on the first day of July last, I have thought it advisable, and have re-rented the place for eighteen months, at the rate of one thousand dollars per annum, which will give time for the raising and harvesting of a crop next year, and for either the purchase of the farm or the removal of the Indians.

In concluding my report, I cannot too strongly urge on the department the importance of making the reservations at Smith river and Tule river permanent, by the purchase of the land, or providing means for the removal of the Indians and public property to other reservations or new locations. If a removal is made from Smith river, it must be to Round Valley, as the reservation at Hoopa Valley will only subsist the Indians now there, and those that will probably come in from the vicinity.

In the southern part of the State a large and permanent reservation is required. The Indians are numerous, and their presence is becoming obnoxious to the citizens. A large number must be subsisted at government expense, or provided for on reservations. Their present means of subsistence is precarious, and as they will steal before they will starve, trouble and difficulty will arise which cannot be avoided unless provision is made for their removal or subsistence.

As regards the sanitary condition of the Indians in this superintendency, I would refer the honorable Commissioner to the accompanying report of Dr. P. Moffatt, physician on the Hoopa Valley reservation. His observations in reference to the Indians at that place will apply generally to the Indians on the other reservations and throughout the State. Dr. Moffatt was employed by my predecessor at one hundred dollars per month, and I have continued him at the same compensation.

Captain Fairfield, at Round Valley, is discharging the duties of physician on that reservation, in addition to his services as Indian agent. At Smith River and Tule River reservations no physicians are at present employed, and it is impossible to obtain competent ones at the compensation at present fixed by law.

I have not had time to visit the extreme southern portion of the State, and would refer the honorable Commissioner to the accompanying reports of Messrs. Stanley and Lovett, special agents appointed by Hon. Austin Wiley, my predecessor, for interesting information in regard to the Indians in that locality.

Number of Indians on the different reservations.

At Round Valley and Mendocino station.....	1, 340
At Humboldt bay, shortly expected at Round valley.....	370
At Hoopa Valley.....	650
At Smith river.....	700
At Tule river.....	800
Total.....	<u>3, 860</u>

Estimated number of Indians in the State not on reservations, from the best information is : In the northern part of the State, west of the Sacra-

mento river, thirteen thousand five hundred; in the southern part of the State and east of Sacramento river, sixteen thousand five hundred. Total number, thirty thousand. All of which is most respectfully submitted.

Your obedient servant, &c.,

CHARLES MALTRY,

Superintendent Indian Affairs, California.

Hon. D. W. COOLEY,

Com'r Indian Affairs, Washington, D. C.

No. 15.

HOOPA VALLEY RESERVE, CAL., July 1, 1865.

SIR: In compliance with instructions received from the superintendent of Indian affairs, requesting a quarterly report of the sanitary condition of the Indians on this reservation, I have the honor to submit the following:

This being the first report of the kind forwarded from this place, I will not confine myself to the quarter just expired, nor will I attempt a statistical statement of diseases and deaths during the quarter, but will endeavor to present a general idea of the condition of the Indians, and such items of information concerning them as may be of interest to the department; and first, as to the habits and means of subsistence of the Indians. The aborigines of this part of the State of California were living in the enjoyment of a rude plenty, when discovered by the adventurous whites some sixteen years ago. Miserable savages as they were, they were conscious of but one imperative necessity—the need of food; and harassed by one anxious care only—the dread of enemies. Their food varied with the seasons of the year; each successive season furnished its own peculiar staple articles.

Autumn furnished the all-important acorn, large quantities of which were collected and kept in store for use during the winter and ensuing spring. Winter was the great hunting time. Then they chased the *manwuch*, deer, and small game, over the hills, bow in hand, or laid in wait for them in the thickets. Grouse, quails, and small birds were hunted and shot with arrows, or caught in rude snares set for them. The fruit of the chase, with the acorns, thus constituted the winter supply of food almost exclusively. Spring brought new viands; early vegetation furnished abundance in the form of young leaves and stems of succulent plants, with their roots attached, and various species of clover, which were gathered in large quantities and eaten. This was the season when the squaws might be seen setting out in procession, each with a basket swung upon her back, and furnished with a piece of wood about three feet in length and sharpened to a point at both extremities, to dig up the roots, worms, &c. Hence the name of Diggers, by which California Indians are so generally designated. This was the season also when fishing commenced, sometimes earlier, sometimes later, according to the subsidence of the high water and other circumstances.

The summer months prolonged the same supply, with the addition of Indian potatoes or soap root, as it is called by the whites—a large and nutritious bulb which grows abundantly upon the hills—various kinds of wild fruits and nuts, together with the rich, fat salmon so acceptable to the civilized as well as the savage epicure.

This was the feasting time *par excellence* of the California Indian. In summer they held their dances—festive dances, fish dances, medicine dances, and war dances, and rioted in savage luxuriance! But this their season of abundance, how spoiled now, and unproductive, by the presence and doings of the whites. They no longer sport on the banks of clear streams literally

alive with salmon and other fish, but gaze sadly into the muddy waters, despoiled almost of their finny prey by the impurities from the sluice-boxes of the miners at the head of the stream. In this consists one of the greatest calamities inflicted upon the Indians of recent years. Their salmon fishing is destroyed to a very great extent, and with it one of their chief means of subsistence. Those who saw the Klamath and Trinity rivers in early days say that during the summer months they ran as clear as crystal, and thronged with salmon from the sea; now they are muddy streams and almost deserted by this fish.

With all the innovations of recent years, those rude savages still maintain to a great extent their peculiar usages, whether collected upon reservations, as here, or left to their own resources, as upon the Klamath river. North and east of this they persist in gathering the acorn, devouring the clover tops and other crude vegetable matter, and securing all the fish they can. The allowance of fresh beef and flour dealt out to the Indians on this reservation by the local agent is in a measure lost to them from the destructive and wasteful manner in which they prepare it. Especially does this apply to the flour. They are unacquainted with the process for the manufacture of light bread, but prepare the flour for use by mixing it with water to the consistence of dough, partially cooking it in hot ashes, and then eating it while hot. I have examined the clods thus made, and am persuaded that while it satisfies their hunger for the time, it is doing them great injury, especially in winter, when used in association with acorns, and without the crude vegetable matter or fat fish of summer. If the preservation of the lives and health of the Indians be a desirable object, it could be greatly promoted by instructing them in the preparation of light bread, or by making it for them, even though much less flour were furnished them. With the present uncultivated habits of the Indians, the substitution of houses for the rancherias or wigwams they at present inhabit would confer no benefit upon them; indeed, few of them, I think, would desire the change. In the matter of clothing, the Indians will always take all they can get, and continually beg for more; but there are some articles, such as strong boots and blankets, which are really necessary for their health and comfort, particularly in winter.

What were the prevailing diseases among the aborigines in northern California previous to the coming of the whites I have not had an opportunity of ascertaining, but that some of the diseases from which they suffer most at present, and which are fast working their extermination, were unknown to them prior to the advent of the Caucasian race, is firmly attested by the older Indians, and corroborated by early observers. The disease to which I have reference is venereal, in its various forms; and these, together with other scrofulous diseases, are at present the blight and curse of the whole native race. The different forms and stages of venereal diseases embrace in one contaminated mass old and young, male and female. The sufferings entailed upon these wandering savages from this cause alone are atrocious, and beyond description. This one inheritance from the whites has of itself made them irremediably miserable. The adage, "prevention is better than cure" they know not, they heed not, and their rude practice of the healing art makes no pretensions to curing those maladies. My experience among them has demonstrated to me that they are extremely susceptible of cure would they but submit to a course of treatment; but this, with very few exceptions, they cannot be induced to do. Indians, every one of them, so far as I have seen, inherit a scrofulous constitution; hence many die of consumption and ulceration of the glands in various parts of the body. Inheriting the constitutions they do, I believe they would all die of scrofulous diseases were it not for some preserving circumstances in their mode

of life, the abundance of fresh air and out-door exercise they enjoy, and particularly the large quantity of fish oil they consume as food, &c. Let an Indian assume the white man's mode of life, or be adopted into a white family, and no amount of cure or kindness will preserve his life for more than a very few years. Universal experience during the last half century has demonstrated to the medical profession that cod-liver oil is the great remedy for scrofulous diseases in the Caucasian; and I feel fully satisfied, from my observations and experience with these Indians, that their lives are preserved from year to year largely by the great quantities of fish oil they make use of as food. Remove them from the source of this supply, or cut it off entirely from them, and Indians, with the constitutions these possess, would quickly disappear. As to the causes of death among the Indians, I may make the general statement, that syphilis destroys many of the newly born and very young, and also causes many abortions. Bowel complaints, especially in autumn, when the acorns begin to be used, carry off many of the children, while scrofula, in its various manifestations, claims a large proportion of the adults. Rheumatic diseases, too, are tolerably prevalent in winter and spring, but cause few, if any, deaths. The sanitary condition of the Indians upon this reservation is, upon the whole, very much improved, I am confident, since last fall, when I began to treat them; all could be relieved, and many cured completely, would they only submit to a course of treatment. Many of the best working ones on the reservation are almost incapacitated for labor on account of disease; altogether, I am not aware that more than three or four deaths have occurred during the past six months. I shall endeavor to extend my observation in this respect in future, also in respect to births.

Very respectfully, your obedient servant,

DR. P. MOFFATT, *Surgeon on Reservation.*

HON. CHAS. MALTBY,

Superintendent Indian Affairs, California.

No. 16.

OFFICE INDIAN AFFAIRS,
San Francisco, Cal., April 12, 1865.

SIR: Some time since I received a petition, signed by many of the most prominent citizens of Los Angeles county, stating the necessity of appointing an agent to care for the Indians in that and adjoining counties, and recommending for the position Mr. J. Q. A. Stanley, of Los Angeles, representing him to be a man of undoubted loyalty and integrity, and well acquainted with the necessities of the Indians in that portion of the State. I wrote to Mr. Stanley that his recommendations were satisfactory, and I hoped soon to be able to appoint him. Upon the arrival of the last steamer from Los Angeles I received from him a letter (a copy of which I enclose) informing me as to the condition and present wants of the Indians in that section. From this letter, and other satisfactory evidence, I became convinced that much good could be accomplished by the expenditure of a small sum of money, and upon the return steamer, which left yesterday, I forwarded to Mr. Stanley the following articles which he had estimated for: 12 ploughs, 12 plough harness, 12 dozen hoes, 20 pounds meion seed, and 30 pounds pumpkin seed. I also authorized him to purchase 3, 000 pounds of corn and beans for seed at Los Angeles, as these articles can be purchased at a much lower rate there than in the city. I am confident that the distribution of these goods will prove an act of excellent policy as well as pure justice. These

Indians have been among the furthest advanced in civilization, but during the past few years have been badly imposed upon by a class of secessionists and outlaws, which, with the severe droughts, has brought them to want and suffering; a little assistance now will place them in a position to again care for themselves, and satisfy them that our government yet exists, and is not altogether unmindful of their welfare.

Mr. Stanley offered to undertake the distribution, without remuneration, and with this understanding I appointed him a special agent. Upon the arrival of our congressional delegation I will submit his name to them, and if it meets with their approval will recommend him for appointment. I sent him a small sum to defray his expenses.

Complaints have reached me of the action of some unprincipled whites in driving these Indians from their land, and I have taken measures to have the matter investigated, with a view to place the Indians in possession and protect them in their rights.

Very respectfully, your obedient servant,

AUSTIN WILEY,
Superintendent Indian Affairs.

Hon. WM. P. DOLE, *Commissioner.*

No. 17.

LOS ANGELES, CALIFORNIA,
March 28, 1865.

SIR: Your communication of the 20th, by the kindness of Mr. Hoffman, was duly received. I can assure you I feel very much gratified by your favorable reception of my application, and if appointed shall endeavor faithfully to perform the duties entrusted to me.

As you may not be perfectly informed of the condition of the Indians in this portion of the State, you may not think it presumption on my part to offer a few suggestions in regard to them.

I presume you are already aware that nearly all the Indians in the lower portion of the State (excepting those on the Colorado river) are partially civilized, and were at a time connected with or under the influence of the various missions in this part of the State, and by the breaking up of the missions they became scattered again throughout the mountains, and established their rancherias wherever they could find a small tract of land with sufficient water for irrigation; and as water is not abundant, they have been obliged to occupy many small places to obtain sufficient land for cultivation.

The San Luis Indians are much further advanced in civilization than any other tribe. They have some horses and a few cattle, and they also cultivate more land than the other Indians, and many of them work on the ranches as servants, and also in the vineyards.

The Cohuillas are not nearly as far advanced in civilization. They live further in the mountains and are more scattered; nevertheless they also cultivate small patches of ground, but in a very rude manner, having very few tools to work with. There are several rancherias on and near the eastern slope of the mountains, which are known by the names of their chiefs, and there is quite a large rancheria at a place called Agua Caliente, and another at Toras, on the La Pagoras.

I am not aware that the government has ever done anything for any of these Indians, and I do not think they require any assistance, except in farming tools and some seeds, till they can get a start; but they do require protec-

tion from a vagabond and desperate set of white men and Mexicans, who go among them to sell whiskey, and induce them to steal and rob for their benefit; and it is very important that an agent down here should be empowered to call on the military for assistance (when necessary) in the removal or arrest of such parties, as they are generally very desperate characters.

As the planting season is now approaching, a little assistance in the shape of farming tools, and a few hundred pounds of corn, with pumpkin and melon seeds, will do a great amount of good, if judiciously distributed among the various rancherias.

The past season has been a very hard one for the Indians, on account of the drought; they have been obliged to consume even their seed-corn and grain, to keep them from starving, and many more than usual come into the settlements to beg. I am sure a small amount expended at this time would be worth to the Indians more than ten times the same amount after the planting time has passed.

With high regard, I am, very respectfully, your obedient servant,

J. Q. A. STANLEY.

HON. AUSTIN WILEY.

P. S.—Should you conclude to do anything for the Indians down here, I will cheerfully undertake the distribution without remuneration, only asking an allowance for the necessary expenses incurred in doing the same.

Please let me know by return steamer.

Your obedient servant,

J. Q. A. STANLEY.

No. 18.

SIR: Having received a communication from you, informing me of your removal from office, and requesting my immediate return to San Francisco, I beg leave to submit the following necessarily crude and imperfect report of the condition and wants of the mission Indians in the counties of Los Angeles, San Bernardino, and San Diego:

Being compelled to return before I had concluded my labors, I fear my report will not be found as full, complete, and satisfactory as it otherwise might have been.

In accordance with instructions received from you, I took passage on the steamer Senator for San Pedro, arrived at San Pedro, and proceeded thence by stage to the city of Los Angeles, where I was detained some days on account of the difficulty of procuring transportation for myself, escort, and the necessary provisions for the journey. This delay proved to be no loss of time, however, for I found, upon inquiry, that most of the matters contained in your special instructions were well understood in the city of Los Angeles, and during the time I remained there took measures to make myself fully acquainted with Indian affairs in the counties of San Bernardino, Los Angeles, and San Diego.

J. Q. A. Stanley, the distributing agent in that quarter, rendered me much valuable assistance by useful information and suggestions.

To Colonel James F. Curtis, commander at Drum barracks, San Pedro, I am also indebted for much information and many acts of kindness, tending to advance the views and desires of the Indian department, more particularly those contained in my letter of special instructions.

General Mason, commanding the military district of Arizona, and myself, arrived at San Pedro on the same day, and the fitting out of his wagon trains

there, for the march to Arizona, was the principal cause of the scarcity of the means of transportation, and of the consequent delays.

Colonel Curtis having furnished me with a suitable military escort, on the 20th of April I left Los Angeles in company with J. Q. A. Stanley for the Indian country. At the town of El Monte I met my escort; encamped there that night. The next day travelled as far as the Santa Ana river, and encamped for the night; the following day reached Laguna Grande. On the third day we reached the Indian rancherias of Temescal and Temecula. Camped at Temecula, and called in the captains and chiefs to inform them that in one week from that day we would hold a big meeting of all the tribes and families. The chiefs, at my request, sent runners with written orders for all the tribes to assemble on the 4th day of May, 1865, at Temecula.

Following your instructions, I then started for Carrisoto, where the man Burnham was murdered, reaching the place after two days' travel. Nothing remained at the place of the murder but the ashes of the burnt building. About four miles from the spot is Kimble's Station, where I camped and learned all the particulars of Burnham's murder, which in substance are as follows:

Burnham was a man of ungovernable temper, and had killed one or two men himself. At the time of his death he was engaged selling liquor to Indians, and the general opinion is that on the night of the murder the Indians were drunk, and they murdered him for money and liquor. Four Indians had already been arrested, and were confined in the jail at San Diego, and one had been executed for the murder of Burnham when I arrived at that place. As there could not be found any clue to implicate other Indians in the murder, I made no further inquiries. The citizens at Kimble's informed me that there was no suspicion against others, and that seemed to end my duty in this particular.

Returning from Kimble's, I arrived at Temecula, and in accordance with another of your special instructions I started for the rancho of Cave S. Conts, near San Luis Rey. Following closely the letter and spirit of your instructions, I examined particularly the Jolla Indians in reference to the charge made against Mr. Conts. They informed me that Mr. Conts had never interfered with their rights, but that he had bought a rancho of ten leagues from the heirs of Pablo Apes, chief of the San Luisena Indians, which includes the rancheria of La Jolla.

Mr. Conts delivered to me the original deed from his grantors, which is hereninto annexed, and which must be returned to him upon his request, as that is the condition upon which it was delivered to me. By a reference to the deed it will be seen that the question between Mr. Conts and the Indians is a question of title, and one for the courts to settle.

There was also a complaint against Mr. Conts by the parents of an Indian boy in his employ. Upon examination the boy was found to be well cared for, and consequently it was deemed proper that he should remain.

Another complaint against Mr. Conts was that he had whipped an Indian to death, and another severely. There was no proof of the first charge. Mr. Conts has, however, done wrong in flogging Indians. The custom and the rule is for the chiefs to administer the punishment. Mr. Conts was informed that he must follow the rule, and must not beat the Indians with unnecessary severity.

The government has sadly neglected to exercise that supervisory care over the mission Indians which would have prevented such things from occurring. Indeed they have been almost forgotten within the last few years. True, the civil war during this last-mentioned period, which has so completely engrossed the attention of the government, demanding every energy that it might enforce complete supremacy at home, is a sufficient excuse for

this apparent neglect. But in the future it is to be hoped that this industrious and worthy class of Indians will receive the fostering care and protection they so much need to constitute them, in case of foreign war or internal dissensions, an element of strength upon our southern border.

Returning from San Luis Rey, on the 4th, 5th, and 6th of May I held a large meeting at Temecula. All of the San Luisena Indians were present, as were also the Cohuillas from San Bernardino, together with most of the Santa Ysabel and the San Diego Indians, numbering in all about fourteen hundred. They brought with them a full account of the number of men, women, and children, also lists of all their animals, the number of their fruit-trees and grape-vines, the original accounts ingeniously cut in long strips of wood, which I have brought with me to be preserved in your office. A written explanation of their meaning will accompany this report.

Mr. Stanley, the distributing agent, spent most of the time in faithfully distributing the seeds and agricultural implements forwarded by you for the Indians. This work was performed in a diligent and patient manner. The heads of families, some hundreds in number, each received a small portion of the seeds and some agricultural implements. The immediate detail of the distribution you will be informed of by Mr. Stanley himself.

Each tribe or family was allowed to come forward at the meeting and state their complaints and grievances. They were mostly of a petty character, and easily disposed of; some, however, were of a more serious character, and demand the earnest attention of the department.

The Cohuillas, of San Timoteo, during the existence of the small-pox two or three years ago, fled in dismay, leaving their lands, not with the intention of abandoning them, but from fear of the epidemic. The white settlers near the Indian lands immediately took forcible possession of them, and have positively refused to give them up. It is of the utmost importance that immediate steps be taken to examine fully into this matter, to the end that strict and impartial justice be done in the premises; and if it is found, upon investigation, that the possession of the lands of San Timoteo, in San Bernardino county, belongs to the Cohuilla Indians, it is to be hoped the department will, without delay, put the rightful owners again in the occupancy of their lands, though this should require the military arm of the government. The Cohuillas are only a partially civilized tribe, and they are now roaming through the San Jacinto mountains, without a home or resting-place. It is a matter of wonder they commit so few depredations. They number about nine hundred.

Some nine miles from Temecula is a place called Pajamo. When the Indians left this place for their summer grounds, a number of villanous Americans, headed by two men named Breeze and Woolfe, burned the Indian houses or "jacablo," and then took forcible possession of their lands and ditches. This is the complaint made by the Indians, and it is substantiated by the whites. Justice demands a full and impartial investigation of this matter.

The white residents in those Indian districts have all, more or less, for the last two years, been in the habit of either selling or giving liquor to Indians, and the State has paid dearly for this, being compelled to spend two hundred thousand dollars per annum, to prosecute, punish, and maintain Indians for the commission of crimes, nearly the whole of which has its origin in the use of liquor. The better class of whites have, however, agreed with me that, in the future, they will not sell or give liquor to Indians. They say they are willing to co-operate with the department in doing away with this delusive element as far as possible. If the department will give this proper attention, very much of the trouble with the Indians can be avoided. It is not to be expected that drunkenness among the Indians will altogether cease,

but, with the assistance of the well-disposed whites, it can be materially decreased.

In nearly all the rancherias of the Indians are found strolling vagabond whites, who, disloyal to their country, have been teaching the most pernicious doctrines to the mission Indians, cohabiting with their women, fond of intoxicating drinks, and rebels at heart. It is a matter of wonder that the Indians, under their instructions, have committed so few depredations. I issued written orders to the chiefs not to give asylum to or permit this class of whites to demoralize their people any longer by allowing them to remain on their rancherias. I informed them particularly that the government would be displeased with them if they afforded a refuge to secessionists fleeing from justice. The chiefs in every instance informed me that hereafter no white men should be allowed to utter disloyal sentiments in their presence, nor would it be permitted in any of the rancherias, and that henceforth no person disloyal to the government of the United States should have a resting-place with them; furthermore, that those now staying among them should be requested to leave and not return. This work had been commenced when I left, and has, I trust, been well prosecuted by the chiefs.

The wants of the Indians are not great, viewed as an immediate necessity. A proper distribution of some of the soldiers' condemned clothing late in the fall would, I think, be correct. What the Indians need most is proper encouragement, together with a strict supervisory care on the part of the government.

Under the old system of mission priests these Indians were not only self-protecting, but were also a source of revenue. These pious fathers, however, while they exhibited towards them a kindly care for their temporal, as well as spiritual welfare, were nevertheless strict in exacting obedience, and firm in exercising care and authority over them, their property, and their labor, the Indians simply furnishing the manual labor, while the priests furnished exclusively whatever brain-work was necessary. It must be admitted that under the mission system the Indians were far better cared for, and were much happier, more industrious, and less vicious than at present. It is not to be expected that we can ever fully return to the old system; partially, however, we can.

I earnestly hope the department will lay before his excellency Governor F. F. Lowe a full statement of the condition and wants of the mission Indians of California, to the end that in the governor's next annual message to the legislature he can suggest such measures for their relief as he, in his judgment, may deem wise and proper.

In my opinion, and in justice to the people of Los Angeles, San Bernardino and San Diego counties, who are at times forced to support large numbers of indigent Indians, it is necessary that a small appropriation should be made by Congress for the exclusive care and protection of the mission Indians of the southern counties of California. Such an appropriation could be most judiciously applied in the purchase and proper distribution of seeds, agricultural implements, and clothing. A small portion of the amount appropriated could be very properly expended in preserving from ruin those first landmarks of Christianity and civilization on the Pacific coast, the mission churches. Nothing would tend more to subdue the evil passions of the Indians than a restoration of those magnificent edifices now crumbling to decay. Many may disagree with me, but I have no hesitation in saying, after observing for twenty-eight years the habits and character of the christianized mission Indians in California and New Mexico, that nothing contributes more to do away with crime among them than the influence of good and holy priests.

The supervisory care of the Indians should be continuous, and sub-agents or special agents should be selected who will faithfully give their whole and undivided attention to supervising the Indians. It will not do simply to make periodical visits, full of promises which generally end in neglect, but promises and pledges should always be fulfilled in letter and spirit.

At the request and election of the Santa Ysabel Indians Chief Tomas was removed, and Ambrosia appointed in his stead. Chief Francisco Maylin resigned from the charge of the San Luisena Indians, and Manuelito Cota was appointed.

On the third day of the meeting General Mason, *en route* for Arizona, arrived at Temecula, which circumstance had a most happy effect on the Indians. They were informed by me as to the great struggle through which the nation had just passed, and the necessity that forced the government almost temporarily to forget them. They were promised that in the future they should be cared for and protected in their rights and privileges, and that strict and unqualified obedience to the government and the laws would be exacted of them.

It is to be sincerely hoped that those pledges will be faithfully kept, and that not a single promise will be broken.

I earnestly hope you will call your successor's attention to this incomplete report, and endeavor to impress upon his mind the necessity for his department to finish the work commenced by me and brought to a sudden termination by your removal from office.

W. E. LOVETT, *Special Indian Agent.*

ASTIN WILEY,
Superintendent of Indian Affairs.

Rancherias present at the Temecula meeting.

Protrero.—Contains 80 men, 97 women and children, 143 beeves, 145 horses and mares, 16 jacks, 200 sheep, 200 fruit-trees, 1,907 grapevines of many years' growth.

San Ignacio.—15 men, 9 women, 6 cows and horses, 50 fruit-trees.

Ancorga Grande.—34 men, 50 women and children, 9 beeves, 16 horses and mares, 700 grapevines all bearing well, 400 fruit-trees.

Temecula.—196 men, 192 women and children, 235 head of cattle, 150 head of horses, 163 sheep, no vines or fruit-trees. There is a question of title here as to their lands between the heirs of John Rains and the Temecula Indians. This should be fully examined.

San Luis Rey.—75 men, women, and children, 62 beeves, 45 sheep.

Cahuillas.—703 men, women, and children, 60 horses, mares, and cows, 200 sheep. Manuel Lurgo is the child of this tribe. They are the Indians spoken of in my report as having been driven off their lands in San Timoteo, San Bernardino county. They are much scattered at present.

Coyotes.—80 men, 60 women and children, no horses or cattle.

La Jolla.—82 men, 98 women and children, 135 cows, 50 mares, 180 peach, fig, and pear trees. These are the Indians who live on the lands claimed by Cave D. Conts, of which mention has been made.

Laboba.—These Indians have a complaint against one Ramon Rivas, who has squatted on their lands. They number about 60 men and 70 women. This needs very much a full investigation.

Pala.—73 men, 89 women and children, 56 beeves, 57 horses and mares, 70 sheep, 56 fruit-trees.

Pauma.—106 men, women, and children, 43 beeves, 14 horses, 46 sheep.

Cholo.—42 men, 67 women and children, 50 fruit-trees, 300 vines, 38 oxen and cows, 18 mares.

San Ysidro.—62 men, 97 women and children, no animals or other property.

Agua Caliente.—73 men, 75 women and children, 70 peach trees, 2,240 grapevines, 25 horses, 42 head of cattle.

San Ysidro.—40 men, 50 women and children, 9 horses, 2 oxen, 15 sheep.

La Puerta de la Cruz.—84 men, women, and children, 6 cows, 2 yoke of oxen, 5 horses, 6 mares, 50 grapevines. Soldiers of the 7th regiment killed three of their beeves.

Puerta Chiquita.—80 men, women, and children, 14 animals of all kinds, 22 peach trees, 30 vines.

There were ten rancherias of the San Diego Indians unable to be present, because of the great distance to be travelled in going to Temecula. These should be called together at some convenient time and their condition ascertained. From their chief, Tomas, I learned they were in about the same state and as numerous as the average of the rancherias present at the gathering.

No. 19.

SAN FRANCISCO, May 19, 1865.

SIR: In compliance with your introduction of April 10, 1865, and received by me April 13, I immediately proceeded to make the necessary arrangements for carrying out said instructions as speedily as possible.

I purchased seed corn, and beans of the best quality, and twelve (12) whiffletrees for the ploughs. I contracted to have the goods hauled to Temecula, the point selected from which to make distributions. My arrangements were completed, and a team started with all the goods on the 22d. By special invitation of Mr. Lovett, accompanied him in his ambulance as far as Temecula, where we arrived on the 27th, the goods arriving there at the same time.

I concluded to make a distribution of a portion of the goods at once to the Indians living at that place belonging to the San Louis tribe of Indians.

On the morning of the 28th I caused the Indians in that vicinity to be collected, and distributed a portion of the goods to about fifty (50) in number, in order that they might immediately commence planting their grounds.

Temecula is one of the principal Indian villages in the southern portion of the State, and during the administration of the chief, Pablo-Apis, (who died about ten years ago,) was in a flourishing condition, cultivating an extensive tract of land, and raising a surplus of wheat, corn, and beans, which they disposed of to emigrants, thereby in many cases rendering great service to the suffering.

Upon the death of Pablo-Apis, and his patron, Colonel Williams, of Chind Ranch, the Indians were thrown under the influence of a set of unprincipled white men, whose only object was to degrade and rob them. Whiskey was plentifully introduced, and degraded white men lived and associated with the Indian women. The consequences were soon apparent. The Indians became idle, neglected their farms, their fences fell down, and they only worked when whiskey could be obtained by so doing. And in the place of being industrious and useful, they became (at least a large portion of them) worthless vagabonds; and many of them are scattered through the towns and on ranches, and work during the week to obtain the means to get drunk on Sunday. I went over their planting grounds, but found no fences, their houses (many live in adobe houses) going to ruin, and everything in a bad condition.

I endeavored to impress upon them the necessity of their going to work at once to prepare their grounds and plant their seeds which I distributed among them. I also specially urged on their captain, José Antonio, his duty to look after his people and to set good examples before them, but I was informed that he not only gambled, but occasionally sold whiskey to the Indians. I told him plainly he must adopt a different course, or he would be removed and another captain appointed in his place.

I found an unusually large proportion of old men and women, from the fact that the younger ones go to the ranches, to Los Angeles, and San Bernardino to obtain labor. Of those who are left at home, some are very old, I should think not less than one hundred years; but they appear to have very little idea of time.

I am satisfied, if it were not for trifling and vicious white men who go among and demoralize them, these Indians could and would raise an ample supply for their own support, and a surplus to purchase all the clothing they would require. And I will here say that, in my opinion, a general distribution of clothing among them would be money thrown away. A few bales of common blankets for the old and such as really need them would be well, but from my observation I am satisfied they require but very little assistance, and that in farming tools and seeds, and a few bales of blankets. But what they most require is a faithful and conscientious agent, who has the will and the power to protect them from the encroachments of the whites. They have some grapevines and a few peach and pear trees, but these have been much neglected. I saw a few milch cows, and they have oxen and horses sufficient for their farming purposes.

The Indians are living on lands belonging to individuals, and the chief, Pablo-Apis, had a grant for about half a league, which I believe was confirmed since his death. Some of his heirs have mortgaged their interest in said grant, and the titles to the same are very much mixed up, and persons who do much injury to the Indians remain there with impunity. I recommend that the department take such steps as would prevent injustice to the heirs.

Having sent notice to all the Indians in the vicinity that a distribution of seeds, &c., would be made to them on the 4th day of May at Temecula, by request of Mr. Lovett I proceeded with him to Warner's ranch, where his instructions required him to go. Leaving Mr. Lovett at Warner's ranch, I procured a horse and went over to the Indian village, or rancheria, called Agua Caliente, about four miles distant from the main road, and near the foot of the mountains I found the remains of quite an extensive village, containing several large adobe houses, mostly in ruins, a vineyard of perhaps a thousand grapevines, quite a number of pear and peach trees, and other evidences that a large number of Indians had formerly occupied the place.

At present, as near as I could ascertain, there were not more than twenty families remaining, and those suffering from the same causes and influences as the Temecula Indians. I understand these Indians to be on public lands, and I recommend that a small reservation be made at that point, of about three miles square, and including the water, so that parties will have no excuse for molesting them.

Being limited in time, I was unable to visit the Santa Isabel Indians, though I wished very much to do so. These Indians belong to the San Diego tribe, and are also mission Indians. Their principal support is derived from cultivating small patches of land where they can obtain water for irrigation. They suffer much from interference from the whites and Mexicans, or vagabond Sonorians, and I have no doubt but what a small reservation might be selected on public lands and their condition very much benefited thereby.

I returned to Temecula on Monday, May 1, and procuring a horse, rode

over the mountains to the old mission of San Antonio de Pala, a distance of about ten miles, and visited the Indian chief, or general, known as Manuelito Cota. This man was formerly chief or general of the San Luis tribe of Indians at Temecula, and proved himself to be an efficient and energetic administrator of the laws. He has always been truly faithful to the government of the United States, and took an active part with his people in giving information and assistance to General Kearney, on his first entrance into California, and has now in his possession a pair of pistols presented to him by the general as a token of friendship and appreciation of his services. By his unwavering integrity to the true interests of the Indians, and severity in punishing drunkenness and stealing, and his opposition to such as sold liquors to the Indians, (being strictly temperate himself,) he became unpopular with such as wished to follow those practices, and finally, after the refusal of one of the agents to sanction some of his decisions, he resigned, and has since only acted as a private individual. He is now living about two miles from the Pala mission, on a piece of land which he holds by a possessory claim, and has this year about thirty (30) acres of land under cultivation, and is the owner of horses, cattle, and sheep. The chief, Francisco, acting as general of the San Luis tribes at Temecula, being incompetent to manage the Indians, has been removed by Mr. Lovett, and Manuelito re-appointed in his place. I would strongly recommend that he be allowed a small salary for his services, as they are quite arduous, and will, if properly attended to, take a large portion of his time.

The mission lands of Pala being public lands, and not on a public road, would be a very desirable location for a reservation for the San Luis Indians, so that when any of the small rancherias are abandoned they would have a home to go to.

On my return from Pala I accompanied Mr. Lovett to San Luis Rey, and returned the next day, (May 3d,) and found the Indians coming in for the distribution. Finding it necessary to supply them with food, I made arrangements with Mr. John Magee to furnish as many beef-cattle as would be necessary to feed them while making the distribution. On the morning of the 4th the Indians began to come in quite numerously, about one hundred of the Cohuillas, with their general, Manuel Largo, coming in a body, and from eight to ten captains of the San Luis Indians, with their delegation from their rancherias, also came in the same day. The general of the San Dieginos, Old Tomas, sent word that he could not be in till next day, at which time he arrived with a delegation of more than one hundred from that tribe.

I concluded that it would be better that Mr. Lovett should first arrange the matters for which he was specially commissioned, and accordingly did not finish the distribution until the morning of the 8th, when, having completed the distribution of all the seeds and implements, the Indians were sent away apparently well satisfied.

I will say, in conclusion, that had I had the time at my disposal I should have visited all the rancherias in that region, and earnestly recommend the appointment of a suitable person as a travelling Indian agent for that portion of the State, whose duty would be to visit all the rancherias, remove all troublesome persons, and prevent as far as possible the evil consequences which result from contact of ill-disposed persons with the Indians. Accompanying please find certificate and vouchers for distributions and disbursements.

All of which is most respectfully submitted.

J. Q. A. STANLEY, *Special Agent.*

Hon. AUSTIN WILEY,

Superintendent of Indian Affairs, State of California.

ARIZONA SUPERINTENDENCY.

No. 20.

OFFICE INDIAN AFFAIRS FOR LA PAZ, ARIZONA,

June 15, 1865.

SIR: Referring to my letter of the 17th of May instant from San Francisco, I have the honor to report my arrival here on the 10th instant.

Upon a hasty examination of the premises I find that we are engaged in active warfare with the Apaches, and that their audacity recently far exceeds in importance any of their former movements. So well attended with success have been their operations, that the friendly tribes have been wavering, and the most turbulent and uneasy among them have become our enemies. I trust, however, the measures which I shall shortly introduce, coupled with the timely arrival of seed which I have procured for planting purposes, will enable me to mitigate the character of the feeling they entertain, and bring them to recognize the advantages of amity on our part and friendship on theirs.

It is very desirable that I should receive at the earliest convenience of the department all the laws concerning this superintendency, and until I can be well advised of what are its requirements my action with the Indians will be somewhat informal and governed by that judgment which looks to a speedy settlement upon the reservation.

Owing to the circumstances of war and certain sympathies of the tribes which it engendered, I am fearful that the amount of the appropriation is too small to bring about a concentration of the scattered elements as promptly as it could be desired.

I have not yet received any government property connected with this superintendency, but shall make report, in due course, when I shall have had sufficient time to better inform myself with regard to my duties. I shall be detained at this place about one month, after which time I shall visit the different portions of the Territory as my duty may require.

I have the honor to remain your very obedient servant,

GEORGE W. LEIHY,

Superintendent Indian Affairs, Arizona.

HON. W. P. DOLE,

Com'r of Indian Affairs, Dep't of the Interior, Washington, D. C.

No. 21.

PRESCOTT, A. T., May 23, 1865.

SIR: Some time last September I addressed a letter to you, setting forth in brief the condition of the Indians along the Colorado river and in the western part of the Territory, referring especially to the Yumas, Mojaves, Yava-pais, Hualapais, and Apache Mojaves.

It was suggested in that communication that the Indians were in a destitute condition, yet friendly, and that in their circumstances, on the score of humanity and danger of collision with the whites coming in around them, the placing them on a reservation was the only safe and just mode of caring for them.

The condition of affairs stated as probable to ensue, in my letter referred to above, now exists. We have a war waged upon us by the Yavapais, Hualapais, and Apache Mojaves, which has been brought on by the wanton and cruel aggressions of not only the settlers, but by the troops placed here for protection and peace.

Some time last January Captain Thompson, now in command at Fort Whipple, went out on a scout into the Hualapais country, with one George Cooler as guide, and surprised a rancheria of Yavapais or Apache Mojaves, killing twenty-eight men, women, and children, among the number Hoseck-rua, a Yavapais chief, who has ever shown himself a true friend of the whites. Not more than ten days previous to this attack, some of these same Indians were at work for me on the toll road at very small wages, and were friendly and trusty. They herded our stock, and when it strayed they searched and brought it back. The attack upon them by the troops was an unprovoked outrage and murder. Though this greatly offended them, they did not retaliate until their war-chief, Anasa, of the Hualapais, was killed some four weeks ago by some wanton and intoxicating squatters on a ranch seventy-five miles west of this place. Since then they have been on the war-path, and we have felt their power. Already they have killed several of our best citizens, taken two trains, and stolen a quantity of stock, and are now prowling on every trail and road, so that our communication is pretty much cut off. The mails have been turned, and a fearful suspense is impending.

No troops have arrived from the department of the Pacific, and the few that are here are ill-supplied for campaigns against the Indians. From all appearances we are likely to have a serious time during the summer.

I have, according to the instructions of the late superintendent of Indian affairs for this Territory, Hon. C. D. Poston, done all in my power to preserve peace with these Indians, even at the danger of my own safety and life.

JOHN C. DUNN, *Indian Agent.*

HON. WILLIAM P. DOLE,

Commissioner of Indian Affairs, Washington, D. C.

No. 22.

SUPERINTENDENCY OF INDIAN AFFAIRS, ARIZONA,
San Francisco, June 16, 1865.

SIR: I beg leave to report that the following goods, shipped by the Indian department to W. T. Coleman & Co., of this city, in September last, per ship Dinsmore, to the address of Charles D. Poston, superintendent of Indian affairs, and transferred to my order by him, on the 2d of October, 1864, were reshipped by the Messrs. Coleman & Co., per steamer, in March last, to my address, through the port of Guaymas, Mexico, viz: thirteen (13) bales of dry goods, eleven (11) cases of hardware, one (1) cask of hardware. Upon receipt of notice of shipment, I made arrangements for the land transportation in wagons, and proceeded to Guaymas, three hundred and fifty miles distant. On arriving near the port, on the 29th of April, I found the place closely besieged on the land side by the forces of the governor of Sonora, and although I stated my mission and made every effort, he declined to allow either the wagons or myself to enter the town. I then wrote to Mr. Joseph Black, the agent of the steamers, and the consignee of the goods in Guaymas, instructing him to place them under the care of the captain of a United States man-of-war, if any was in port, or under the protection of the American consul; this letter (open) Gov. Pisquiera consented to allow to pass his lines. I then proceeded overland to Los Angeles, and took from San Pedro the steamer for this city. Admiral Pierson, commanding here, has kindly consented to allow Captain Scott, of the United States steamer Saginaw, sailing to-morrow for Guaymas, to take the Indian goods on board, and either forward them to the United States quartermaster at Fort Yuma, near the mouth of the Colorado, or bring them back to San Francisco

The Papago and tame Apache Indians included in my agency, for whom these goods were intended, have faithfully served the country during the last season as scouts, as expresses, and in war parties against the wild Apaches, under the promise that when the goods referred to should arrive, they will be compensated by their distribution.

Awaiting their arrival, I have distributed to them articles of first necessity to the value of about \$700 in gold, intending to reimburse the parties advancing in kind from the goods when received. How soon the delivery and distribution can be effected, it is difficult for me to suggest. If received at Fort Yuma, army transportation might be obtained to Cerro Colorado, near Tubac.

I send you herewith copies of my letters to Mr. Black, of Guaymas, and Captain Scott, on this subject.

I shall proceed in the next steamer (July 3d) to New York, and will probably visit Washington soon after my arrival there. Meantime I respectfully submit the foregoing for the information of the department.

I remain, sir, very respectfully, your obedient servant,

M. O. DAVIDSON,
Special Agent for the Papago Indians.

HON. W. P. DOLE,
Commissioner of Indian Affairs.

SAN FRANCISCO, June 13, 1865.

SIR: You will find at Guaymas, in the hands of Mr. Joseph Black, merchant, twenty-five cases United States Indian goods.

If, in accordance with the tenor of the accompanying letter to Mr. B., he has no immediate or certain opportunity to transport them to Arizona, you will promote the interests of the government by taking them under your care, and placing them, if you can, at the mouth of the river Colorado, consigned to the United States quartermaster, Fort Yuma, to be delivered to my order or that of Elihu Baker, United States sub-Indian agent, Cerro Colorado. In case the delivery to the mouth of the Colorado cannot be made, within, say, two months, I will thank you to reship the goods, by steamer, to Messrs. W. T. Coleman & Co., San Francisco, with as little delay, after you may arrive at that determination, as possible.

I remain, very respectfully, your obedient servant,

M. O. DAVIDSON,
United States sub-Indian Agent.

Captain Scott,
Commander of the United States steamer Saginaw.

SAN FRANCISCO, June 13, 1865.

DEAR SIR: In case you have not forwarded, or reshipped, as heretofore advised, the cases of Indian goods consigned to you by Messrs. W. T. Coleman & Co., and to my order, and have no immediate and reliable means of sending them to Cerro Colorado, you will please deliver them to Captain Scott, of the United States steamer Saginaw, and take his receipt therefor.

Enclosed I send you authority to draw on Messrs. W. T. Coleman & Co. for amount of freight and charges.

Yours, respectfully,

M. O. DAVIDSON,
United States sub-Indian Agent

JOS. BLACK, Esq., *Guaymas.*

No. 23.

August 12, 1865.

SIR: The following in relation to the Papagos Indians of Arizona is submitted for your information, not as a formal report, but under the idea that anything serving to throw light upon the traditions, customs, and present condition of the aborigines will not be unacceptable to the Indian bureau.

Of all the Indian tribes that have come under my observation, none appear to have a stronger claim upon the protection and fostering care of the government than this interesting people.

The Papagos were originally from the same stock as the Pimos and Maricopas. These tribes speak a common language, which is conceded to be the ancient Aztec tongue. The last named tribes are acknowledged by the Papagos to be "parientes," i. e. friends and brothers. The Papagos represent that portion of the original people who, while occupying their ancient seats, submitted with avidity to the teachings of the Jesuit missionaries and embraced the Christian faith, to which they conscientiously adhere. As a community, they have made a very considerable advance in the arts of civilized life. After their conversion from paganism, as a personal distinction the Papago cut his hair short around the neck, below the ears, and adopted the hat, in contrast with the unconverted Pimo, who wears hair of great length, braided in strands that reach below the middle of the back.

The Papagos are probably descended from the most ancient occupants of the continent of whom we have any knowledge; their traditions reach back to a high antiquity, circumstantial as to details, though obscure as to dates. Their unwritten chronicles embrace the epochs of the creation of man, the occurrence of a universal deluge, and the coming of the Spaniards. Until the last-named event, their fathers were governed and guided by the great Montezuma, who is clothed, according to their dim traditions, with the attributes of a demigod, as well as those of a lawgiver and terrestrial king.

The sacred mountain and village of Santa Rosa is a Mecca to the Papagos. According to the ancient legend, after the Great Spirit had formed the earth and all living things, excepting man, he came down to visit his work. Alighting near Santa Rosa, he made a hole in the ground and re-ascended to the skies, taking with him a piece of clay, being the same material with which the Indians to this day make their pottery. From the heavens he dropped the clay into the hole already prepared, and from that orifice sprung forth *Montezuma*, who assisted in the creation of the Papagos and all the other Indian races in order; the last of these were the Apaches, who, as fast as they were created, ran away, and have never yet returned. In these primeval days all men and animals lived in harmony, and spoke a common language. The howl of the wolf, the growl of the bear, the voice of the mountain cat, the bark of the coyote, and the song of the forest birds, were alike mediums of intelligible communication to the human race.

At that time the sun was nearer to the earth than now, the seasons were equal, and there was no necessity for clothing to guard against the inclemency of the weather.

The coyote informed Montezuma that the flood was coming to destroy all living things upon the earth. Believing in the truthfulness and sagacity of the coyote, Montezuma builded a boat, in which he survived the deluge; his boat, on the subsidence of the waters, rested on the topmost summit of Santa Rosa. The coyote gnawed down a large cane growing upon the river bank, entered the cane, and sealed up the end with some resinous gum. In this receptacle he floated during the prevalence of the waters, when his ark also found a resting place on dry land. It was a point far distant from

Montezuma; guided, however, by instinct, he travelled over the intervening space directly to him. Great was the joy of Montezuma that his faithful friend and adviser, the coyote, had been preserved to return in safety.

Montezuma immediately sent the coyote toward the south, to ascertain if he could find the sea; the animal returned after a short absence and reported that he had found it; he sent him to the west, and he soon returned and told him that the sea was there. He sent him to the east also; after a much longer absence he returned and reported that he was again successful. The coyote was then sent to the north; in this journey he was gone so long a time that Montezuma despaired of ever seeing him again. At last he came back, wearied and worn with sore travel, and reported that he could find no sea to the north.

By these means Montezuma was enabled to ascertain the boundaries of the dry land remaining after the flood. It is not surprising therefore that the localities of such wonderful events should remain as consecrated spots in the eyes of the Indians. Periodically they revisit them and celebrate solemn festivals, transmitting to their children the memory of the ancient customs.

Though the teachings of the Jesuit missionaries have converted them to a purer faith, and they no longer worship the rising sun, nor look for the second coming of Montezuma, nor pay homage to the coyote, a hereditary attachment yet remains for the places that bore witness to the power as well as the superstition of their ancestors.

The Papago of to-day will on no account kill a coyote; and he builds his hut, like his fathers, with the opening to the eastward, to catch the first beams of the rising sun.

Following the Indian legend, Montezuma, aided by the Great Spirit, again repopled the earth, receiving, at the same time, the Divine commands as to their government and the promotion of their happiness. In process of time they increased to a vast multitude; but Montezuma waxed proud and arrogant; he neglected the duties of his high position, and allowed general wickedness to prevail among the people whom he had been appointed to guide and govern. The Great Spirit came down to him and remonstrated with him, but the heart of Montezuma was hardened; he was puffed up with pride and the consciousness of power; he rebelled against the Great Spirit and scorned his laws and ordinances. On the other hand, the Great Spirit threatened that unless he would repent, and become obedient to the heavenly will, he should be excluded from participation in the joys prepared for the faithful in the Spirit Land, and, moreover, that he would bring upon him and his people dire calamities in punishment for their disobedience and crime. Montezuma remained unmoved and obdurate. The Great Spirit re-ascended to the skies in anger; and, as he lifted himself up, he stretched forth his hand and thrust the sun to a greater distance from the earth, where it yet remains—each summer striving to return to its ancient place, and every winter compelled to recede. Still rebellious and undismayed, Montezuma determined to build a house high enough to reach the heavens. He collected together all the nations of Indians, and built the Casas Grandes of the Gila. The interior apartments of the stupendous structure were lined with gold and silver, and ornamented with precious stones most beautiful to behold. The building had already reached a lofty height, when the Great Spirit sent his thunderbolts and threw it to the ground.*

The tradition goes on to relate, that notwithstanding these awful manifestations of the Divine displeasure, Montezuma continued to harden his

* The Indian legend thus accounts for the ruins yet remaining on the banks of the Gila, a mystery to the traveller and antiquarian.

heart and refuse obedience; he desecrated the temples, and caused the sacred images to be trailed in the dust, and made them the sport of the children in the streets. At length the Great Spirit, as a final punishment to the Indian race, sent an insect flying through the air to the eastward. It crossed the seas, and reached a land, of which nothing had been known from this land.

In due time the insect returned, and brought over the Spaniards. These made war upon Montezuma, prevailed over and destroyed him; and in the light of the new religion introduced by the strangers the idea of the divinity of Montezuma was dispelled.

It was from these ancient seats in the *Primeria Alta*, the cradle of creation, that the Aztec tribes moved southward, and by conquest, under the guidance of Montezuma, overran all Mexico. They subdued nations and founded cities, until at last, in the plenitude of his power and in the height of his glory, the vengeance of the Great Spirit overtook him.

The foregoing, with many other interesting traditions relating to the conquest, were gathered principally from the relations of Con Quien, the intelligent chief of the central Papagoes, and through the translation of Mrs. W. H. Tonge, of Cahuabi.

I will remark that it is not easy to gain the confidence of these people to a degree that will make them readily communicative upon the subject of their ancient traditions; and I doubt if my success would have been so complete, had it not been for the kind intervention of the estimable lady above mentioned, who, with her husband, appeared to be equally beloved and respected by the Papagoes.

Although many of the Indians speak the Spanish language, they are very reluctant to do so. It is difficult to account for this reserve, unless it is to be ascribed to an innate pride that disinclines them to use the language of a race by whom they have been subdued.

The Papago country extends from the Gila on the north to the Sonora border on the south, and from the Santa Cruz river on the east to the California Gulf on the west. Although roaming at times over vast tracts of desert lands, their homes are necessarily located near permanent water. In some instances, as at Cahuabi, they have, with considerable labor, excavated tanks, where the waters that accumulate during the rainy season are carefully preserved against a time of scarcity.

Around the splendid mission church of San Xavier del Bac their habitations are located to the number of about one hundred. This place is the residence of their "gobernador" or head chief, Don José Victoriano Solosse. He is an intelligent and worthy man; he has the welfare of his people at heart, and is respected equally by Americans and Mexicans. Colonel Poston, late superintendent of Indian affairs, has recommended that the whole tribe be collected at this place. Even if the proposed reservation will sustain them, I am not prepared to say that such a measure will contribute most to their welfare. It will be extremely difficult to overcome their local attachment to their homes, nor can they be made readily to understand why such a measure should be proposed. So far as I can learn, they will be better pleased to retain possession of their own little valleys and villages, and unite in forming a central government at San Xavier, to which each community will send delegates yearly, to deliberate upon the common welfare, and pass such laws and ordinances as the condition of the people may require.

Before acting upon any policy, I would suggest that a convention of the people be called to deliberate, and give expression to their wishes by a decisive vote. They are disposed to agriculture and the arts of peace. Again, it may be reasonably doubted whether the limits of the proposed reservation will embrace sufficient arable land to sustain the whole people. If it should not be the case, and the voice of the people shall be in favor of concentration, then the surplus population that cannot be advantageously located at San Xavier, may be allotted a reservation not far distant, and selected from

the tillable lands now in the power of the hostile Apaches, when the latter shall be conquered and removed.

Such an allotment of lands will be an appropriate reward for the valuable assistance rendered by the Papagos in the constant war that has been waged with those enemies of the whites. The status of the Papagos with respect to the soil ought to be determined, in a way that no injustice will be done to them. The Mexican laws, based upon the laws of the Indians promulgated by the kings of Spain, recognized the Indians as subjects or citizens, and in most cases confirmed to them, wherever they resided in fixed communities, the titles to the lands where they lived. The Spaniards never made treaties with the Indians, nor extinguished their title to the land, nor did they in any way recognize them as independent nations. Those who now, by the transfer of the political sovereignty of the country, find themselves upon American soil, and surrounded by Americans, look for at least a measure of recognition of their rights equal to that which they enjoyed under the despotic government of Spain. In my opinion, we must regard them as American citizens, and under certain conditions entitled to all their privileges. Many are sufficiently advanced to understand their duties and exercise their rights as such. It is my humble opinion that it is the duty of the government to educate the remainder to a degree that will qualify them also to fulfil all the obligations and perform all the duties of citizenship. I will venture to say that these people, from their intelligence, their morality, and the manifestation of all the requisite qualifications, are quite as much entitled to the privileges referred to as the majority of the Mexican population, who, by virtue of the treaty of annexation, were transferred to the protection of the American flag. In a few words, confirm their possession to the lands they occupy, by the title of pre-emption, establishing suitable metes and bounds thereto, not interfering with the white settlements or mining claims; and it may be confidently asserted that, with the aid of schools, the rising generation of Papagos will not discredit the country or the institutions by which they are allowed to profit.

If we inquire into their characteristics as a people, we shall find that they are agriculturists to an extent sufficient to supply their simple wants. At times they have produced a surplus for their less fortunate white neighbors. As warriors and soldiers, they have for ages maintained their position against the hostile Apaches. As Christians, they have for two hundred years remained the humble but faithful disciples of the church. The conduct of their maidens, wives, and mothers has always been beyond reproach.

The Papagos have also performed during the last year important services as protectors of the settlements of their white neighbors. In accordance with the stipulations of the council of San Xavier del Bac in January last, they raised and held ready for the field 150 warriors, mostly mounted, intended to act in co-operation with the United States troops in a campaign against the barbarous Apaches. It now affords me great pleasure to report, that while waiting for the military co-operation, until it was decided that the soldiers could not move for sufficient force, the various Papago chiefs placed their young men at my disposal, and scouting parties were kept during several months scouring the country, beating up the haunts of the Apaches, and in some instances recovering cattle plundered from the whites. At all times when I have called upon them they have furnished mounted men, who have traversed mountains and deserts as expressmen, scouts or escorts to travellers. These services were rendered at times and under circumstances that made them really valuable. In compensation I have promised them a proportion of the Indian goods allotted to this Territory. Owing, however, to circumstances already reported to the department, the well-earned reward has not yet been paid, through Indian goods destined for them having been delayed, first by some error in shipments, second by reason of

disorders in Mexico, impeding the transit through that country, the goods at this time remain at Guaymas, that ought to have been received and distributed during the last Christmas holidays.

The latter part of the month of May, General Mason entered Arizona, at the head of about a thousand troops, California volunteers, to operate against the Apaches; he has probably arrived just in time to prevent a wholesale massacre of the white settlers. I met the general, accompanied by Governor Goodwin, at Fort Yuma; they informed me that the governor was authorized to raise a regiment of Arizona volunteers. For the latter service I offered them 200 Papago and tame Apache warriors, having been authorized to do so by the chiefs themselves. As scouts and guides they will prove of great value, the extent of which will depend upon the pains taken to acquire a knowledge of their habits, and how to use them to the best advantage. For this reason I have recommended that the commissioned officers of the Indian companies be appointments made from citizens of this Territory in whom they have confidence. If the organization be properly made, and they be armed and mounted on the small but enduring horses of the country, and then be subjected to just sufficient military drill to control them as companies to be attached to the more regular troops actually in the field, they will, as I said before, do good service.

They require no baggage or wagon train; they move as lightly as the Arab of the desert, or the wily enemy against whom they operate.

In order that their families may not suffer for food during the absence of the young men, I have also suggested that the women and children be allowed to draw from the nearest military post half the Indian soldier's ration; the remainder will be amply sufficient to subsist the hardy and abstemious native while in the field. It is hardly necessary to say, that the efficiency of these auxiliaries will in a measure depend upon the activity with which they are kept employed. It will never do to confine them to the dull routine of a military post, or retain them as the idle occupants of a stationary camp; let them have constant service from the start.

According to information given to me by Con Quien, the Papago population is distributed in villages, as follows:

At San Xavier del Bac, the residence of the principal chief Don José Victoriano Solosse, are located eighty families.

The following villages are also under his immediate jurisdiction:

	Families
Coajata.....	103
Ana.....	70
Macombo.....	57
Acachin.....	47
Onia.....	8
Miscellaneous.....	90
	<hr/>
	455
Captain Anastacio governs at Santa Rosa.....	160
Captain Eusebio governs at Camaro 70, at Tecolote 140 families.....	210
Captain Con Quien governs seven villages:	
Valle.....	97
Casca.....	80
Musquito.....	70
Sarra Blanco.....	18
Perinimo.....	46
Caca Chimir.....	90
Chioro.....	35

Total.....1,261

The foregoing does not include the population of the village of Sonoita, situated on the dividing line between Arizona and Sonora. There are located about fifty families, who claim to be American Indians, although the lands which they cultivate, and the water for irrigation, are on the Mexican side of the line. They are raising this year fine fields of grain, and when I passed their village during the month of May the people were busily engaged in harvesting a bountiful crop of wheat and barley.

According to Con Quien, the average number of persons in each family may be assumed at five; consequently we have (exclusive of the village of Sonoita) an aggregate population of 6,305 Papago Indians located on American soil. It has not been in my power to verify the estimate above given, but I am inclined to think that the number is overstated.

From what I have seen of these people there is no reason to doubt that with wise legislation and sufficient encouragement they will soon become self-sustaining. Their habits are naturally pacific, and they willingly cultivate the soil wherever nature has given them arable land and water for irrigation. Their principal crops consist of maize, barley, wheat, beans, and pumpkins. During the last year considerable numbers have found ample employment with the various mining companies located at Cerro Colorado, Enriquetta, and Cahuabi. At the former place considerable works, erected by Papago laborers, bear witness to their industry. In the building of their huts they show considerable skill and ingenuity, while all the coarse pottery used in the country, both by whites and Indians, such as water jars, milk pans, &c., are the production of the Indian women. Their baskets are made of the strongest materials, and so closely woven as to be impervious to water. Many of them possess considerable stock in horses, mules, and horned cattle.

As soon as the government shall have decided upon the policy to be pursued towards these Indians, and the land to be located and appropriated to their use, schools should be established in their villages, and artisans employed to teach them the mechanic arts.

The government bounties should be given them principally in seeds, agricultural implements, cotton cloths, and iron and steel for making their own implements.

Raw materials will be better for them if accompanied with instructions how to make them useful. An authorized trading post will enable them to exchange the products of the soil and their own labor for such articles as they cannot otherwise obtain.

Very respectfully, your obedient servant,

M. O. DAVIDSON, *Special Agent.*

Hon. WILLIAM P. DOLE,

Commissioner of Indian Affairs.

No. 24.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, September 7, 1865.

SIR: Your communication of the 5th instant is received, submitting certain suggestions as to the policy to be pursued relative to the Papago Indians of Arizona, for whom you were designated as agent by late Superintendent Poston.

The subject has received the attention of the Secretary of the Interior, and, with his concurrence, the following course has been determined upon :

Your account as special agent, from the date of your appointment down to August 26, 1865, at \$1,000 per annum, will be audited, and a requisition for the amount due you drawn, payable to your order, and you will be appointed a special agent for the Papagos, and also the Pimos and Maricopas and the tame Apaches, at an annual salary of \$1,500. A blank bond will be forwarded to you for execution.

As such agent, you will communicate directly with this office, but will also keep the superintendent of Indian affairs for Arizona, George W. Leihy, esq., advised of your proceedings. He will be advised of the course determined upon. Such portion of the funds appropriated by Congress for the Indian service in Arizona as appears to be properly applicable to the tribes to be placed in your charge will be placed at your disposal, to be accounted for under your bond. The goods heretofore purchased for Arizona, and which it is presumed have reached the Territory before this time, will be divided in such manner that you can take possession of and distribute to the Papagos the proportion which was intended for them, and arrangements will, if practicable, be made so that the goods to be purchased for the tribes of which you will have charge may be procured at once, and will be placed in your care for transportation to Arizona.

In the disposal of the goods, as well as of the funds placed in your hands for the benefit of the Indians, you will consult the wishes of the chiefs, and, so far as your judgment shall approve, be guided by them, bearing in mind the purposes of your agency to aid in the education and elevation of the people intrusted to your care.

You will be authorized to employ a teacher for the Indians who must read and speak both the English and Spanish languages, and whose compensation shall not exceed \$500 per annum; and also a blacksmith, for whose services during any one year you are authorized to expend not exceeding \$600.

Provision will be made for the payment of a salary of \$500 per annum to the duly elected head chief of the Papagos, and to three subordinate chiefs of \$350 each per annum, to be paid so long as they shall continue friendly and efficient in aiding the United States authorities in preserving the peace and in the improvement of their people.

You will convene the Papagos at the earliest convenient day, and setting before them the advantages which will accrue to them from a settlement upon certain defined reservations within which their rights will be exclusive, propose to them such settlement, and if they shall agree to such policy, make selection for them of one or more reservations of reasonable extent for their wants, and forward to this office a report of your proceedings, with descriptions and sketches of such reservations for approval.

You will be authorized to appoint a clerk at an annual compensation not to exceed \$750.

Herewith is enclosed a copy of a circular recently issued by this office to all Indian superintendents and agents, indicating the policy to be observed by them so far as their relations to the military authorities are concerned. This policy meets the cordial concurrence of the War Department, and it is not doubted that both the military and naval officers of the United States will, whenever called upon, render you every possible assistance in the discharge of your duties.

From the vicinity of the Papago Indians to the Mexican boundary, and the consequently frequent intercourse which you will be likely to have with the people of Sonora, and with the authorities of that province or State, it may require the exercise of the most careful judgment to avoid difficulty with the parties unhappily contending for the possession of the government of the

country. It will be especially desirable to preserve amicable relations with the parties in possession of the Gulf ports, as it is understood that your supplies and goods can best reach their destination by being landed at Guaymas. The fact that the prompt and regular delivery of presents and goods to the Indians will have a tendency to preserve peace upon the borders, can be availed of as a cogent reason why the transmission of those goods should not be interfered with by any party. Your discretion must be relied upon in this matter.

Such further instructions as may be deemed necessary will be hereafter communicated to you. It remains only at present to express the hope that the measures now being undertaken will prove of great benefit to the interesting tribes of Indians who are placed under your charge, and that they will rapidly and steadily advance in education, civilization, and the arts of self-sustaining industry until they may, as citizens of the United States, lose their separate tribal character and become merged in the general population of the Territory.

Very respectfully, your obedient servant,

R. B. VAN VALKENBURGH,

Acting Commissioner.

M. O. DAVIDSON, Esq.,

Fordham, Westchester Co., New York.

No. 25.

SAN FRANCISCO, September 25, 1865.

SIR: * * * * *

I take the liberty, before closing, to refer two most important questions to your department, namely:

1st. The pacification of the Apache Indians. This can only be consummated either by the discovery of extensive placer (gold) mines in the Apacheria, and a large influx of miners, or through a *systematic* and *unceasing* campaign, with not less than 5,000 men. The present force of 2,000 men will accomplish but little good. Economy and humanity should prompt us to pacify the country in from five to twelve months at the utmost; 5,000, properly directed, will accomplish this; with 2,000 it will probably require from six to ten years, and end only with the extermination of the entire tribe. The great extent of country, the numerous, intricate, and barren mountains, and scarcity of water in many sections, requires a system of swarming the whole country with small detachments of troops. As it is, it is not dangerous to fight, but extremely difficult to find, these Indians. The troops should not be encumbered with trains of transportations, but small posts of supply should be established throughout the Indian country. All treaties of peace with the Apaches will cause a useless sacrifice of time and life until they fully appreciate the power of the nation, of which they have no idea at present.

The 2d question is that of Indian reservations. The site in the Colorado valley above the town of La Paz, recommended by Mr. Poston as a reservation for the Mohaves and others, I do not consider a practical one, for the following reasons:

1. The alkaline and sterile nature of the soil.
2. The necessity of constant or daily irrigation.
3. The expensive, gigantic, if not impossible task of raising the Colorado from its deep channel at this or any other spot below Fort Mohave.

Constant irrigation is required on account of great heat, dry atmosphere, and the character of the soil.

The Colorado valley, where the proposed reservation is located, is the bed

of an ancient lake, or, rather, an arm of the ocean, filled up in course of ages with the debris of the adjoining mountains and the shifting sands from the upper country, containing but little aluminous matter to give it consistency.

In the numerous wells we generally find (or invariably) a thin crust of loamy soil, with a little vegetable matter, and beneath this shifting sands, which have not yet been sounded to their entire depth. We find water always in from ten to eighteen feet.

What chance would there be in constructing a canal some twenty feet in depth in such a soil? Nothing but solid masonry would answer. What time would be required to finish it? and what would be the expense? Then the canal, in its entire length, would require to be protected against occasional floods to prevent its being destroyed and filled up, and its entrance (the upper) would be a stupendous undertaking in itself.

A superior engineer, versed in such structures, should make an investigation of the site before any expense is incurred, and the capacity of the soil should also be tested by a practical agriculturist and chemist. It is not so much the alkaline salts, but pure chloride of sodium, with which the soil is impregnated.

In place of the above site I would recommend the investigation and survey of one situated in and below the great bend of the Gila river, a short distance below the Maricopa wells and villages. There is an abundance of splendid land, and a surplus of water can be procured both from the Gila and Salina rivers. I have only passed the ground without particular investigation, but thought it very favorably situated, &c.

Here all these tribes of peculiar origin, as the Pimos, (supposed descendants of the Aztecs,) viz., the Mohaves, Yumas, and Papagos, should be located. All these tribes are partly civilized and agricultural people, and speak the same language. Their location would not interfere with the whites, whom, as the Pimos do, they might supply with their productions. The location is beyond the mining section, and very suitable.

The Apaches and their kindred, the Tondos, Hualpais, and Yavapais, should be moved from the country. General Carleton's plan and site on the Pecos river, in Texas, is, I think, a very proper one. They are a roving tribe, and they will continually break for their rugged mountains, if their reservation is but a short distance from them.

The Chimehuevas, who have wedged themselves in between the Mohaves and Yumas on the Colorado river, are of the Pai-Utes race. They should be aggregated to these. War has lately broken out between them and the Mohaves, as I hear by letter from La Paz.

* * * * *

I have the honor to be, very respectfully,

HERMAN EHRENBURG.

THE COMMISSIONER OF INDIAN AFFAIRS,

Department of the Interior, Washington, D. C.

No. 25½.

OFFICE INDIAN AFFAIRS FOR ARIZONA,
La Paz, Arizona Territory, September 27, 1865.

SIR: Referring to my letter of the 11th instant from Prescott, permit me to add that I was favored by General J. S. Mason, commanding the department of Arizona, with the particulars of the military operations now in progress of arrangement against the hostile Indians of the Territory.

Most of the tribes of Indians living east of a line about seventy miles east of the Colorado river, and running north and south through the Terri-

tory, are, with the exception of the Moquis, (a tribe living in the northeast corner of the Territory, and supposed to number about three thousand,) unfriendly to the whites. It is hoped that those tribes living west of the line referred to may be induced to remain friendly. They number about ten thousand.

The Hualapis, numbering about two thousand, have not as yet come in to the river. Some three or four hundred of them are at this time in a semi-hostile state, on account of the killing of a chief of their tribe by a drunken teamster on the road from Fort Mojave to Prescott.

Open hostility exists at the present time between the Mojaves, Yumas, and Yavapais on the one side, and the Chimehuevas and Pintahs on the other. The Mojaves and Yumas claim all the bottom lands on both sides of the Colorado river, the whole extent of the Territory. Since the establishment of settlements by the whites on the river above Fort Yumas, the Chimehuevas and Pintahs have, to a certain extent, been suffered to come and settle on the west bank. From time to time thefts and petty depredations have been committed by these Indians, and by them charged against the Mojaves and Yumas; hence the cause of war, and the determination of the Mojaves and their allies to drive their foes from the river. These Chimehuevas and Pintahs extend over a large tract of country, reaching as far as Utah Territory, though their lands are chiefly in California, many of their ranches or settlements being on the road between the Colorado river and Los Angeles. There is, therefore, strong reason to apprehend difficulty between these Indians and the whites, as this war will, to a great extent, cut off their crops and supplies, which will, most undoubtedly, lead them to pillaging, when acts of violence must soon follow.

The River Indians, mostly Yumas and Mojaves, have in this neighborhood raised good crops the present year, and mostly from seed furnished them by me; and I am more firmly convinced than ever that a reservation should be established for them, feeling fully confident of their ability to support themselves. In this conclusion I can but reiterate the opinion already expressed in previous communications regarding the expenditure of the appropriation for this department. It can but be apparent to any person of ordinary intelligence who has visited the Indian tribes of this Territory that their wants can be much better supplied from the San Francisco markets than from the Atlantic States. Seed, farming utensils, some articles of clothing, and food are the more necessary articles, and these can all be purchased at a more economical rate in San Francisco than in an eastern market. It is my opinion that many more of the Indians of the interior may be induced to come in and settle on the river when once it can be proved to them that by so doing they will always have plenty of food. To this end it is indispensable that the superintendent should always have means at his command sufficient to enable him to procure such provisions as are absolutely necessary.

The Pimo and Maricopa Indians, living on a reservation, still maintain their friendly relations with the whites, and are even assisting the military in their operations against the Apaches. The same may be said of the Papagos. I have not yet visited them, for want of means, but have sought and obtained this information from a reliable source.

As soon as I am in possession of funds I shall be able to make up my accounts, and will forward them without delay.

Very respectfully, your obedient servant,

GEO. W. LEIHY,
Superintendent Indian Affairs, Arizona Territory.

Hon. D. N. COOLEY,
Commissioner of Indian Affairs, Washington, D. C.

NEVADA SUPERINTENDENCY.

No. 26.

DEPARTMENT OF THE INTERIOR,

Washington, D. C., March 31, 1865.

SIR: The department has determined to avail of your services in the transaction of business connected with the Indian service of Nevada.

A reservation for the Indians was made at Pyramid lake, extending to the great bend of the Truckee river, near which it was designed to erect a mill for the purpose of sawing lumber and for other purposes, for the benefit of the Indians. It is now ascertained that the mill has only been partially constructed, and that the expense attending the mill and the cutting timber for logs amounts to \$19,049 22, and that there are incidental expenses connected with the enterprise which will increase the charge upon the government at least \$5,000, making the entire outlay connected with the matter, in round numbers, say at least \$25,000. It is also ascertained that the line of the Pacific railroad will pass along near the site of the mill, and so make the immediate locality unsuitable for an Indian reservation.

It has been represented to the department that the mill, when erected, will be very valuable, if there be connected with it the right to cut timber on the reservation up to the Truckee river to supply the mill with stock for sawing. The expense attending this enterprise having been so much greater than was anticipated, and the prospect of the Indians being brought into proximity with the settlements attending the construction of the railroad likely to be injurious to them and detrimental to the public interests, it is contemplated reducing the reservation some six miles from the great bend of the Truckee river, which will make it proper and necessary to sell the mill-property; in doing which it is desirable that the object, the erecting of the mill, shall not be lost sight of, and that the Indians should be supplied with lumber to enable them to build houses, fences, &c., upon their lands. Mr. William N. Leet has been suggested as a proper person to undertake to carry out the objects of the government in this particular, and who would be likely to purchase the property upon such terms as will save the government its outlay.

A blank contract has been prepared to accompany these instructions, which, if Mr. Leet, or other responsible person will, with security, execute, you are authorized to execute on the part of the government, in triplicate; forward one copy to the Commissioner of Indian Affairs for the files of this department; one you will deliver to the agent, and one to Mr. Leet, and report your proceedings in the premises.

You will be allowed your actual expenses in attending to this business, of which you will keep an accurate account to be submitted to the department.

Very respectfully,

J. P. USHER, *Secretary.*

CLARK W. THOMPSON, Esq., *Washington, D. C.*

P. S.—The sum mentioned in the blank contract is the minimum price for which you are authorized to dispose of the property. If more can be had of responsible parties, of course you will accept the better offer; and if you cannot dispose of it within your instructions, you will adopt the best means for its preservation and use, as your judgment may dictate, and report for further instructions.

J. P. USHER.

No. 27.

Copy of contract.

This contract, made and entered into at Virginia City, Nevada, by and between Clark W. Thompson, superintendent of Indian affairs, acting under the direction of the Secretary of the Interior, on the part of the United States, and William N. Leet, of Gold Hill, Nevada, on the other part: witnesseth: That the said Clark W. Thompson, superintendent, &c., for the United States, has sold and does hereby sell unto the said William N. Leet the saw-mill and all the machinery and apparatus pertaining thereto, situated upon the mill reservation at the great bend of the Truckee river, in the State of Nevada, and also all the logs and lumber at the said mill, and the logs now cut upon the Indian reservation as stock for said mill; in consideration whereof the said William N. Leet agrees to pay or cause to be paid to the United States agent for the Indians in Nevada the sum of thirty thousand dollars in lumber, delivered at said mill ready for transportation, as follows: five thousand dollars on or before the first day of October, A. D. 1865, and twenty-five hundred dollars each year thereafter for ten years, on or before the first day of October in each of said years.

The lumber so delivered under this contract shall be of such description as may be required by said Indian agent for the use of said Indians, and shall be rated at the lowest cash prices prevailing at said mill for the various kinds at the time of delivery.

It is further agreed that the said William N. Leet shall have the privilege of cutting timber for said mill, during the said period of ten years, from the lands embraced within the even-numbered sections in the timber reservation on the said Truckee river that has been established by order of the President of the United States; and should the said William N. Leet at any time fail to deliver lumber to the said Indian agent according to this contract, when required so to do, the said privilege of cutting timber from the Indian reservation shall thereafter cease and determine; but the said William N. Leet and his sureties shall not thereby be released from liability to the United States arising out of his failure to fulfil the stipulation of this contract.

The said William N. Leet hereby covenants and agrees to give good and sufficient security to the United States for the full and faithful performance of this contract, which said security shall be approved by the United States district judge for the district of Nevada before possession of the premises is delivered up by the United States.

In witness whereof, we have hereunto set our hands and seals this twenty-seventh day of May, A. D. eighteen hundred and sixty-five.

CLARK W. THOMPSON. [L. S.]
WILLIAM N. LEET. [L. S.]

Signed in triplicate in presence of—
CHARLES E. CLOYES.

UTAH SUPERINTENDENCY.

No. 28.

SUPERINTENDENCY OF INDIAN AFFAIRS,

Great Salt Lake City, U. T., September 9, 1865.

SIR: I have the honor to submit my annual report of the general condition of Indian affairs within the Utah superintendency for the past year.

The tribes included within this superintendency are the eastern and north-

western bands of Shoshonees and the mixed bands of Bannacks and Shoshonees, the Goships, the Cum-umbahs, the Utahs, Utes, Pah Vants, Pi Edes, and Pah Utes.

THE SHOSHONEES.

The eastern bands of Shoshonees and mixed bands of Bannacks and Shoshonees number upwards of four thousand souls. These bands are under the control of Wash-a-kee, the finest appearing Indian I have ever seen. He is justly regarded as a firm friend of the government and the whites, and steadily refuses to hold communication with bad Indians. He offered his services with his warriors to fight against the hostile Indians on the plains, as I informed you by letter of the 4th ultimo.

The treaty negotiated by Governor Doty, at Fort Bridger, on the 2d day of July, 1863, was with the eastern bands of the Shoshonee Indians.

The treaty negotiated at Soda Springs on the fourteenth day of October, of the same year, was with the mixed bands of the Bannacks and Shoshonees, in which it was agreed that the latter bands should share in the annuity provided for by the Fort Bridger treaty with the eastern bands. These Indians have not, since the making of the treaties referred to, received their presents as promptly as they expected them, owing to the burning of some of the goods on the plains, and the lateness of the season when the balance were received for last year, it being after most of the Indians had gone on their winter hunt. This year, all but the old men and some of the women and children have gone on the hunt without their presents, for fear they would suffer the same disappointment as last year, the goods not having come to hand yet, and there being no prospect of their arrival until the snow falls in the mountains. These bands range through the northeastern portion of Utah Territory and that portion of southern Idaho lying along and south of Snake river. They generally inhabit the Wind River country and the headwaters of the North Platte and Missouri Rivers. Their principal subsistence is the buffalo, which they hunt during the fall, winter and spring, on which they subsist during that time, and return in the summer to Fort Bridger and Great Salt Lake City to trade their robes, furs, &c., for such articles as they desire and can obtain in the market. The only portion of their country suited for agricultural purposes is Wind River valley, in which they are desirous that government should set aside a reservation for them.

These Indians do not properly belong to this superintendency, their country being north and northeast of Utah, principally in Idaho Territory and Wyoming, (now attached to Dakota.) With their agency located in Wind River valley, as they desire it should be, they would remain away from the white settlements, the mail and telegraph lines. They have repeatedly asked that this should be done. The reports of Agent Mann of last year, concurred in by the superintendent, recommended a compliance with their wishes.

THE NORTHWESTERN SHOSHONEES.

There are three bands of Indians known as the northwestern bands of the Shoshonees, commanded by three chiefs, Pocatello, Black Beard, and San Pitch, not under the control of Wash-a-kee; they are very poor, and number about fifteen hundred; they range through the Bear River lake, Cache and Malade valleys, and Goose Creek mountains, Idaho Territory, and should be under charge of the superintendent of Indian affairs for that Territory. They come into Box Elder and the northern settlements, within this Territory, for the purpose of living off the people, but their country is almost entirely outside of our limits.

Governor Doty negotiated a treaty with them at Box Elder, Utah, on the 30th day of July, 1863, by which the government agreed to pay them a yearly annuity of five thousand dollars (\$5,000.) They have kept the treaty, as a general thing; but, owing to their country being so much of it occupied by the whites, the game almost entirely destroyed and driven away, they suffer frequently from hunger, and I have been compelled to assist them a great deal during the past winter, or else they might have felt themselves compelled to commit depredations upon the stock of settlers in order to keep themselves and families from starving.

I made an arrangement early in the winter with the leading citizens of the northern portion of the Territory to employ chief Black Beard and his band to herd their cattle, and pay him in flour and beef. This, with relief I furnished, enabled them to get through the winter.

But they should be attached to an agency in Idaho, and instructed in farming. They would like a reservation on the Snake river, in the south-western corner of Idaho. Though they are called Shoshonees, they are an entirely separate and distinct people from those under the control of Wash-akee, and while they are friendly they are not disposed to associate together.

THE GOSHIIPS, OR GOSHA UTES,

Are a band ranging through Utah, west of Salt lake. They talk very nearly the Shoshonee language, but are a separate and distinct band, under the control of chief Tabby, (the Sun,) and a number of sub-chiefs. They number about eight hundred. They have neither horses nor guns. They are exceedingly poor, and subsist almost entirely upon pine-nuts, roots, and fish, and during the inclement season of the year are dependent upon what assistance we can give to keep them from starvation. Last winter I made an arrangement by which they assisted in supporting themselves, by inducing the settlers in that portion of the Territory to employ them as herdsmen. Tabby and Dick Moni, chiefs, with their families, were thus employed, and but for this arrangement, with the very limited resources at my command, they must have perished or lived by plunder.

The treaty concluded at Tuilla valley on the twelfth day of October, 1863, was with these Indians. It provided for an annuity of one thousand (1,000) dollars. It is not enough, as Governor Doty advised the department in his report accompanying it. It ought to be increased to five thousand dollars, (5,000,) in order give these Indians the assistance they require. As it is, they draw heavily upon the funds remitted for the general purposes of the superintendency. I may say, here, that I have found the Mormons very willing to co-operate as far as they could in these efforts for the relief of the Indians.

There will be no difficulty in inducing the larger portions of the Goship Indians to become herdsmen, for which employment they show much aptitude.

THE CUM-UMBAHS (OR WEBER UTES.)

This is a band controlled by chiefs Amoosh, Tetich, and To-tads, (Little Soldier,) with two or three sub-chiefs. They are mixed-bloods of the Utes and Shoshonees, and range in the region of Salt lake, Weber and Ogden valleys, in northern Utah, and number about eight hundred. They have been accustomed to lounge around the superintendency, and live by begging and pilfering from the settlers, and are the most troublesome and worthless of our Indians, having apparently no ambition to better their condition.

The country heretofore occupied by them is now thickly settled by whites, and there being no game for them to hunt, and not being disposed to work,

they require a support from the people and the government, and insist upon it, and if they do not get it, manage to make their anger felt, and exert a bad influence upon other bands of Indians. They are the most difficult Indians we have to deal with, and will be the last to remove to Uintah and enter upon industrial pursuits. They were represented at the Spanish Fork council with the Indians of Utah Territory, and came under the provisions of the treaty concluded on the eighth of June last; yet quite a large number of them declare their unwillingness to remove. They will, however, I think, submit to the policy of government without the employment of force, when they find that we are in earnest in requiring it, and will not help them here, and show by actual demonstration that the Indians in the Uintah Valley have bettered their condition.

THE UTAHS.

The Utahs are composed of several bands, the most important being known as the Tim-pa-nogs, Uintahs, Pah-Vants, and San-pitches. The first, controlled by chief An-Kar-tewets, (Red Bay,) range through Utah valley and the mountains adjoining the valley on the east, and number about three hundred. The second, the Uintahs, the principal band of the Utahs, are under the immediate control of chief Saw-e-set, and sub-chiefs Tabby, (the Sun,) and To-quo-ne, (Black Mountain Lion,) and range through Uintah valley and the Green River country, and number about three thousand. Third, the Pah-Vants, are controlled by Kon-osh, (Man-of-white-hair,) and several small sub-chiefs. They range through Pah Vant and Sevier valleys, and west to the White mountains. These Indians are farmers, the chief Kon-osh working himself and teaching his men, this year raising considerable amount of wheat and corn; they number about fifteen hundred. Kon-osh is a good Indian, strongly in favor of the policy of concentrating the Indians in Uintah valley, and anxious to have his people instructed and civilized. He urges upon all of our Indians by personal appeals, and by the cheerful acquiescence which he shows, a submission to the wishes of the government. His influence has been very beneficial upon the different bands of Indians in central Utah. On the death of Saw-e-set, now very old and infirm, he will be the principal chief of the Utahs; in fact, he is regarded as the most influential chief now. He should be sustained in that position by government, for we can be sure of his co-operation in all measures to promote peace between his people and the whites, and the general prosperity of the Indians.

The San-pitches, numbering about five hundred, are controlled exclusively by Sow-ok-soo-bet, (Arrow Feather,) and range through the San-pitch valley and creek and on the Sevier river. These are exceedingly poor, and live principally upon fish, berries, and roots.

THE PI EDES.

The Pi Edes are a band ranging through Beaver and Little Salt Lake valleys, and on the Rio Virgin and Santa Clara rivers, down to the Muddy, embracing the whole southern portion of Utah Territory. They number about six thousand persons, and are controlled by Tut-sey-gub-bets, with many sub-chiefs. They are an exceedingly poor tribe, their country producing but little vegetation, being almost a continuous desert; they cultivate small patches of wheat, corn, and beans along the streams, but live principally on lizards, swifts, and horned toads. They talk the Utah language.

The northern bands of Utahs have been accustomed heretofore to make raids into the Pi Ede country, and frightening them so that they would give up their women and children, whom they would take to New Mexico and

sell to the Spaniards for slaves; but since the Territory has been settled by the whites that traffic has ceased.

The operations of Special Agent Sale for the past year have been among these Indians. I have no further report from him than the communication forwarded the 15th of May last. Mr. Sale has no way of transmitting letters to this office only as opportunity offers by private conveyance, being most of the time among the Indians, far removed from the mail lines. These Indians, until the last year, have never been visited by an agent of the government.

THE PAH UTES.

These Indians properly belong in Nevada and Arizona, but range over in southwestern Utah among the settlements, and occasion a great deal of trouble by stealing the stock of settlers. The communication of Mr. Sale, of the 15th of May last, refers principally to these Indians. They are very similar in character to the Pi Edes.

They should, as soon as possible, be attached to an agency in Nevada, and located upon a suitable reservation, so as to withdraw them from the vicinity of our settlements, upon which they are disposed to subsist.

During the past year the Indians have been peaceful, with the exception of the difficulties with a band of outlaws in San Pete valley, mentioned in my letter of the 28th of April last. At that time I requested the military authorities to send a sufficient force to protect the settlers and to arrest the offending Indians. This was refused, and the settlers were left to take care of themselves; they organized a force of about eighty men, and drove the Indians back to Grand river, killing about one-third of the number of those who were engaged in committing the depredations.

Notwithstanding the Indians of this superintendency are peaceful now, in view of the fact that Indian wars are raging on our immediate boundaries in Nevada, Idaho, Colorado, and Arizona, how long they will remain so it is impossible to tell, unless those Indians who are in arms against the government are speedily and thoroughly subdued. Occupying, as we do, a central position, and being at peace with the Indians within our borders, serves to keep the hostile tribes east and west of us from concentrating; yet witnessing the success of the hostile Indians in depredating upon the government and its citizens, our peaceful tribes are anxious and excited. The argument used with them is, that the Indians now in arms are contending for their homes; that if they are conquered and submit, they will be exterminated; that our Indians should join them in this last struggle, as the existence of all Indian tribes depends on their success; that our representations of a desire to concentrate and civilize them, to open farms, and build houses, is only to get them together where they can be slaughtered, and they thus put entirely out of the way, and the country left to the sole occupancy of the whites. Ignorant and uninformed as they are, with these arguments constantly urged upon them by the hostile Indians, and knowing that they are not subdued, as I have told them they would be, they feel great apprehension for the future. Witnessing the constant stream of emigration, and hearing, as they do, from the emigrants, citizens, and too often the soldiers and officers of the government, the threats of extermination of their race, made against all Indians, and being threatened by the hostile Indians that they will ever regard them as enemies if they do not make common cause with them now against the whites, it is not strange that they are excited and uncertain as to the course that they should pursue.

The experience of the past assures me, however, that they wish to be friendly, and if the hostile Indians around them were only subdued the future would be safe.

The cruelties practiced by hostile savages have prejudiced our people against the whole race. The emigrants who traverse these plains, the settlers in these mountains, and the officers and soldiers who are here for their protection, are almost entirely in favor of the extermination of all Indians, and the constant exhibition of this feeling in the presence of our peaceful Indians discourages them and leads them to distrust our professions of friendship.

Under my observation, and within my own experience, *I know of only one case of Indian outrage and depredation that has not commenced in the misconduct of the whites.* When the public sentiment in regard to the Indians shall, while holding them to a strict responsibility for their conduct, recognize their rights as the original possessors of the soil, and while appropriating to ourselves their ancient homes, destroying as we must their means of subsistence, actuated by a spirit of justice to the poor, ignorant, degraded race, provide for them other homes, other ways of subsistence, and seek by all the means in our power to be the instruments in the hands of the Almighty in guiding them to the higher grounds of civilization, morality, and Christianity, which it is the boasted privilege by our race to occupy—if this, the humane policy of the government, could receive from all classes of our people, especially those who have personal intercourse with the Indians, a cheerful co-operation, it would be much more effective. Then, the Indian, recognizing the inevitable destiny that awaited him, that before the spirit of enterprise and civilization, in his barbarism and ignorance, he must perish unless he should submit himself to our influence, would, under our teachings and with the assistance we proffer, seek for the future, in the path of industry, for him and his people, peace, content, and prosperity.

On the 30th of January last I wrote to the department, requesting that measures should be taken to give the Indians their goods in the month of August, so that they would, after receiving them, proceed to their winter hunting grounds before the snow fell in the mountains, and by so doing, enable the Indians to support themselves by hunting during the winter. I received a reply to my communication, dated the 7th of April last, in which I was informed "that the order for the purchase of these goods has already been made, and instructions sent to have them forwarded with all possible despatch, and unless some unforeseen detention occurs they should reach their destination by the time mentioned." Notwithstanding the efforts of the department to get the goods here in time, there is no prospect of their being received so as to distribute them until the middle of October, and then we are subject to the same difficulties we encountered last year, as the mountains over which the Indians must pass are already covered with snow.

The most of the Indians wait for the goods, and when they receive them it will be too late to go to their hunting grounds, and we will be compelled of necessity to assist them with provisions during the winter; this increases the expenses of the superintendency at least one-third, which can be avoided by the delivery of the goods here by the fifteenth of August, which can be accomplished by contracting for the transportation *by early mule trains*, instead of ox trains, as has been the case heretofore.

On the 14th of August I proceeded to Uintah valley to examine the Indian reservation, to make myself familiar with its resources. I find it well adapted to the raising of stock, and am more than ever convinced of the correctness of the policy of making cattle husbandry the business for the Indians that are to be settled there. Our Indians are by nature herdsmen, and will take care of cattle in preference to performing the more laborious service required in cultivating the ground. They prefer to live on meat; a very small quantity of grain or vegetables will supply them if they can have all the meat they want.

In this connexion I would respectfully refer you to my letter of the 7th of last December, my observation and experience for the year having confirmed me in the views therein set forth, as to the proper plan for the concentration and settlement of the Indians of Utah.

As to the detail of the progress of the improvements made on the reservation, the report of Agent Kinney, when it is received, will probably give the desired information. The expedition for Uintah valley under his charge met with many obstacles in reaching the point of destination, for want of a suitable road. When I reached the Uintah, on the 18th of August, I found them encamped at the point where I advised them to make the location of the agency. It is a beautiful valley, near the centre of the reservation, containing, up and down the river, enough arable land for all the Indians in Utah—easily irrigated, a warm and genial climate, surrounded by hills covered with cedars, and having an abundance of grass. The only thing wanting was sawed timber, which cannot, however, be obtained in any place combining the other advantages of soil, climate, grazing, &c.

On the 29th of June I reported my progress in carrying out the instructions of the department in making treaties with the Utah Indians. I expect to start on a tour through the southern portion of the Territory on Monday next, the 11th instant, to visit the different bands of Indians in that section for the purpose of submitting to them the Spanish Fork treaty, and procuring their assent to its provisions. On my return to the office, which I expect will be by the 10th of October, I can make such further report as may be required for your information.

I am, very respectfully, your obedient servant,

O. H. IRISH, *Superintendent of Indian Affairs.*

Hon. D. N. COOLEY,

Commissioner of Indian Affairs, Washington, D. C.

No. 29.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, March 28, 1865.

SIR: I herewith transmit a copy of an act of Congress approved February 23d ultimo, entitled "An act to extinguish the Indian title to lands in the Territory of Utah suitable for agricultural and mineral purposes."

In regard to the contemplated treaties, while the law requires that all Indian treaties shall be negotiated by officers and agents of the department, I deem it very desirable that you should avail yourself of the information in possession of Governor Doty, ex-Governor Young, and other officers of the Territory, and citizens of long residence therein. The territorial officers will doubtless take pleasure in co-operating with you unofficially.

In view of the fact that Congress has already, by act approved May 5, 1864, designated the Uintah valley as a reservation for the Indians of Utah, (instructions in regard to carrying that law into effect having already been forwarded to you,) it is deemed proper that in the negotiations now contemplated, reference should be had to the policy of establishing the various tribes upon the Uintah reservation, and to the expenditure in that locality of whatever sums for their benefit the stipulations may provide for; and that, so far as is practicable, the policy indicated in that law may be kept steadily in view. It is not intended, however, to restrict you to that locality, should it be found wholly impracticable, in the case of any of the tribes, to place them upon it, or incompatible with the real interests of the Indians or the government to do so.

Your attention is particularly directed to the second section of the act of February, 1865, in regard to provisions for making payment to the Indians in articles for their use and benefit, rather than in money.

In the treaty with the Shoshonee Goship band, of October 12, 1863, there is a special provision by which those Indians agree to give up their roving life and settle upon a reservation whenever the President of the United States shall deem it expedient for them. That time has now come, and advantage may be taken of the existence of that clause, or similar provisions, in treaties with the other bands.

I have further to suggest, that inasmuch as it has not been the policy of government to acknowledge the full title of these Indians to the lands claimed by them, the treaties should be so framed that the Indians shall relinquish the *right of occupancy* of the lands included within defined boundaries, and agree to remove to and occupy the lands reserved for their use.

With the aid of Governor Doty, and the other parties mentioned, which I have no doubt will be cheerfully given, full confidence is entertained that you will be able to make such arrangements with the Indians of Utah as will at the same time redound to their benefit, and to the safety and convenience of the whites, and the development of the resources of the country. I scarcely need urge upon you, in the present condition of financial affairs, the necessity of exercising all possible economy in incurring obligations in behalf of the government in the contemplated treaties.

In regard to the subject of the survey of the old reservations, referred to in yours of November 29th ultimo, a special communication is forwarded this day, and you are referred to it in connexion with this letter.

To enable you to carry into effect the object of the law, the sum of twenty-five thousand dollars, appropriated by the third section, will be placed at your disposal, and subject to your drafts.

Very respectfully, your obedient servant,

WILLIAM P. DOLE, *Commissioner.*

O. H. IRISH, Esq.,

Sup't of Indian Affairs, Great Salt Lake City, Utah T'y.

No. 30.

SUPERINTENDENCY OF INDIAN AFFAIRS,

Great Salt Lake City, U. T., June 29, 1865.

SIR: Owing to the Indian difficulties in the adjoining Territories, which were having a bad influence upon our Indians, and that they were very uneasy about the reports that had got among them as to the policy of the government in compelling them to relinquish their title to the lands of this Territory, and being compelled by the military force to remove to the Uintah reservation, I thought it dangerous to delay negotiations with them, and believed it to be good policy to draw them in, and to explain to them the objects and intentions of the government, and, if possible, to negotiate with them, in pursuance of the treaty bill approved 23d February last.

Governor Doty thought I should proceed at once to carry out my instructions, for fear that the Indians here might be drawn into alliances with other tribes hostile to the United States.

Ex-Governor Young, with whom I consulted, in compliance with your instructions, coincided with us in the opinion that we should proceed at once to negotiate with them, and that we should not wait the arrival of the goods. And it was also highly important that the business should not be postponed

until the receipt of the goods, which would probably be in September next, for the reason that there would be too little time left between their arrival and the time when the Indians should go to their winter hunting grounds. To attend properly to the distribution of goods, and preparing for winter, and the negotiations with the different bands of Indians in Utah, it was best to employ the summer, when I had more leisure, and when it was more convenient to the Indians, in the special duty assigned me by your letter of instructions of the 28th of March last.

I therefore called the several bands of the Utah Indians to meet me at the Spanish Fork Indian farm on the 6th of June last. I invited the federal officers and the military commandant of the sub-district, and Ex-Governor Brigham Young, to accompany me, to render such information and assistance as they could. All of the federal and military officers declined going, because Brigham Young was invited, except the governor, the United States marshal, the collector and assessor. Secretary Reed was absent at the time and could not be consulted.

Governor Doty acted cordially with me in making the preliminary arrangements, but was taken suddenly ill in the evening before I started for the Indian farm. His death occurred some ten days thereafter, and I may here say that I am indebted to the late Governor Doty for the support he gave me in the discharge of my official duties. He took great interest in the Indian service, and I feel that I have in that respect met with an irreparable loss. I submitted to him a draft of the treaty, which was afterwards accepted by the Indians; and his last assurance to me was, that he approved of my policy in every respect, and advised me not to be discouraged by the opposition manifested by the other officers of the government, who declared, that rather than associate with Brigham Young on such an occasion, they would have the negotiation fail; that they would rather the Indians, than the Mormons, would have the land.

Brigham Young accepted my invitation, a copy of which I herewith enclose, that it may be seen to what extent I committed the interest of government to his hands; his name appears on the treaty as a witness only, and he acted only in advising the Indians to make the treaty, as will fully appear from an examination of his remarks made during the proceedings of the council, a copy of which I have the honor to enclose.

The fact exists, however much some might prefer it should be otherwise, that he has pursued so kind and conciliatory a policy with the Indians, that it has given him great influence over them. It was my duty and policy, under your instructions, to make use of his influence for the accomplishment of the purposes of government.

I sent Interpreter Huntington to the place where the Indians were being collected, to talk with them as they came in, to explain to them the objects the government had in view in calling them together, and to prepare their minds for a favorable consideration of the provisions of the treaty when I should arrive. He spent some days in mingling with them for this purpose.

I met the Indians, according to appointment, on the 6th of June, and on the 7th submitted the draft of a treaty which was signed on the 8th.

The following is a synopsis of its provisions :

SEC. 1. The Indians relinquish their right of possession to all of the lands within Utah Territory occupied by them.

SEC. 2. With the exception of the Uintah valley, which is to be reserved for their exclusive use and occupation, the President may place upon said reservation other bands of friendly Indians of Utah Territory.

SEC. 3. The said tribes agree to remove upon said reservation within one year after ratification of the treaty. Meanwhile they will be allowed to reside upon any unoccupied lands.

SEC. 4. The Indians to be allowed to take fish at their accustomed places; also to gather roots and berries on unclaimed lands.

SEC. 5. In consideration thereof the United States agree—

First. To protect the said Indians and their said reservation during good behavior.

Second. To pay or expend for their benefit \$25,000 annually for 10 years, commencing with the year in which they shall remove there; \$20,000 annually for 20 years thereafter, and \$15,000 annually for 30 years thereafter; it being understood that these several amounts are fixed as the amounts to be paid to or expended for the said tribes and bands of Indians upon the basis of their number being 5,000 persons, including men, women, and children. If it should, however, hereafter, upon a census being taken, be found that there is a material increase or decrease of the said Indians from the number as above stated, then and in that case the said amounts to be paid to them, or expended on their behalf, shall in the same proportion be increased or diminished, as the case may be.

Third. For making improvements on reservation and procuring cattle for stock-raising, the United States agree to expend \$30,000, as is already provided for by act of Congress, May 5, 1864. Also to sell for their benefit the present reservations, viz: Spanish Fork, San Pete, Corn Creek, and Deep Creek—in all, 291,480 acres—for not less than 62½ cents per acre.

Fourth. To establish and maintain for 10 years, at an expense not to exceed \$10,000 annually, a manual labor school, the Indians stipulating to keep all children between the ages of 7 and 18 years at school nine months in the year. If they fail to do so, the school may be abandoned.

Fifth. The United States agree to furnish a mill for grinding grain and sawing lumber, one or more mechanic shops and tools, houses for interpreter, miller, and farmers, the cost of which not to exceed, excluding transportation, \$15,000; and for the purpose of assisting them in agricultural and mechanical pursuits, \$7,000 per annum for 10 years, the Indians agreeing to furnish apprentices and assistants for mill and mechanics' shops, and three laborers to each white laborer. It is also agreed that the United States are to pay the cost of transporting all supplies, machinery, &c.

SEC. 6. The United States shall have the privilege of running roads or telegraph lines through said reservation.

SEC. 7. The President may, if he thinks best, cause the land to be laid out, and assign the same to individuals or families of Indians who may consent to make it a permanent home; also to build for each one of the principal chiefs of each band one house, and to plough and fence five acres of land, and pay in money to each chief \$100 a year for 20 years, to commence three months after the removal to reservation; and to give to each chief, three months after his removal to the reservation, 2 yokes of oxen, 2 yokes and chains, 1 wagon, 1 plough, 10 hoes, 6 axes, 2 shovels, 2 spades, 4 scythes and snaths, 1 saddle and bridle, and 1 set of harness.

SEC. 8. The annuities of the Indians shall not be taken to pay the debts of individuals.

SEC. 9. The said Indians promise to be friendly and commit no depredations. If they do, the guilty one shall return the property taken, or it must be paid for out of their annuities. Nor will they make war on any tribe except in self-defence.

SEC. 10. They further agree that no liquor shall be used by any of them, and no white person or persons shall be allowed to bring any upon the reservation.

I have used the \$10,000 treaty fund in paying the expenses of these negotiations, and promised to give the Indians more presents on this account on the arrival of the goods.

In order to meet the requirements of the occasion, I have had to purchase some \$6,369 45 worth of goods more than the funds in hand would supply, but under the agreement of the parties from whom I purchased that they would buy from the goods sent me on their arrival enough of the same kind and quality at the same price they sold me to make up the amount advanced. There being \$15,000 in goods purchased on the treaty bill, I can make it up out of those, and have some \$8,630 55 left to use among some scattering bands in the south who were not in at the Spanish Fork farm.

The results of our councils with the Indians have been all that we anticipated. They now understand the policy of government, and are willing to go to Uintah, and the only trouble we will have in the premises is that they will wish to go before we can get ready to take charge of them; and I hope to secure the assent of all of the Utah Indians to the treaty without making any further payment than are therein provided for.

I am, very respectfully, your obedient servant,

O. H. IRISH,
Superintendent Indian Affairs.

Hon. WM. P. DOLE,
Commissioner Indian Affairs, Washington, D. C.

No. 31.

SUPERINTENDENCY OF INDIAN AFFAIRS,
Great Salt Lake City, U. T., January 5, 1865.

SIR: I have the honor to transmit herein a communication from Special Agent Sale, referring to the reported murder of two emigrants by the Indians, requesting instructions, &c.

I also enclose a copy of an unofficial letter, which, however, gives considerable information as to Indian matters in the south among Indians who have never before been visited by an agent of the department.

In my opinion, it is highly important that a permanent agency should be established near the head of navigation on the Colorado, either in southern Utah or northern Arizona. I trust some provision will be made by Congress for this purpose.

I am, very respectfully, your obedient servant,

O. H. IRISH,
Superintendent Indian Affairs.

Hon. W. P. DOLE,
Commissioner Indian Affairs, Washington, D. C.

MEADOW VALLEY, U. T., *December 15, 1864.*

DEAR SIR: I shall finally dismiss the escort to-morrow morning, and take the afforded opportunity to let you know where I am and what I am about.

In the matter of dealing with the Indians, I flatter myself that I have succeeded very well. I have thought it best to be mild in all cases, and have not, in any instance, made use of any expression to them which could be construed into a threat. When I came to this place the whites were excited, and many of them afraid of Indians. Some stock had been stolen only a few days before my arrival, and the Indians who were supposed to have stolen it fired at by the whites, who pursued them to recover the property. Some Indians were shot in this valley last summer under circumstances which

rendered the act only a little better than murder, and the Indians were sore and seeking revenge.

White people in their excitement were imprudent in their counsels, and ready for rash acts, the Indians afraid, and it was not easy to get any considerable number of them together that I might talk to them; I finally got about thirty together at this place, and had a talk with them. They seemed satisfied, and agreed to meet me again on the 13th of this month here. I then went to Clover valley, thirty miles south from here, where I met with about thirty more Indians, and had a talk with them. They also appeared friendly and satisfied, and agreed to meet me on the 13th; and I went on to St. George and Santa Clara, where I met about twenty-five more Indians, and had a talk with them.

The head chief, or at least a very influential chief, called Tutzegubbets, lives at Santa Clara, and was present. This chief at once fell into my plans, and promised his co-operation; he promised to send a runner to the Muddy Indians and Pah-Reneg-Utes, and try to bring them in to see me on the 13th.

I had an interview with President Snow, to whom I stated the object of my visit to the Indians, and unfolded so much of my plans as I deemed proper, and he gave me assurance of his hearty approval, and a letter recommending his brethren to co-operate with me, and not by any rash acts to throw obstacles in my way, saying it was an enterprise in which they were all directly interested, &c.

From St. George I sent you a hasty note, which I doubt not you have received.

My journey across to the Santa Clara and returning was unpleasant by reason of bad stormy weather. When I got back to this place I began my preparations for the 13th. I received the services of Andrew R. Gibbons as interpreter, and sent a request to Ira Hatch to be present. The 13th came, but was stormy, and no Indians came until late in the day, and then only a few, but they brought word that others were on the way. I concluded to wait, and did wait until the next day, when fifty-five Indians reported for rations. I killed two small steers, and commenced to feed as hungry a set of mortals as it was ever my fortune to meet. While waiting for others during the *feast*, I again, with the assistance of Hatch and Gibbons, sent runners to the wild tribes, as they are called, inviting them to come. Some have come, and I hope to see more of them. Two who are here sent Tutzegubbets to ask me if I was angry with them for stealing, &c., and whether I would forget what they had already done if they would not do so any more. I replied that I was not angry, and would forget the past if they behaved well in future. They then had a long conference among themselves, which lasted the greater part of last night. I could hear but not understand their talk.

The interpreter said it was the chiefs (there were four present) haranguing and urging them to be friendly with the whites, and quit stealing, &c. Well, the sum total is that this morning the chiefs came to me with a very cordial greeting and said they were my friends, and that all the Indians were my friends, and would go with me to any place I wanted to go, and take care of me and do as I wanted them to do; and giving me a high-sounding Indian name, signifying, the interpreter says, "the Indian's friend," and winding up with a very solemn dance.

I now consider, and both Hatch and Gibbons agree with me in opinion, that the Indians will hereafter be quiet and *go to work* if they are kindly treated, (with a few exceptions, of course,) and that I can with comparative safety go where I wish and return.

I reserve official report until I return to the city, but ask your attention to the enclosed official communication.

Truly, &c.,

THOMAS C. W. SALE.

Colonel O. H. IRISH.

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MEADOW VALLEY, UTAH TERRITORY,
December 15, 1864.

SIR: I am in receipt of information that on or about the first of the present month two white men, supposed to be emigrants on the road to California, were murdered by Indians at a place called the Muddy Branch, on the Rio Virgin. I call your attention to this, and request your instructions as to what are the proper steps to be taken, if any, by me.

Very respectfully, your obedient servant,

THOMAS C. W. SALE,
Clerk Superintendency, Acting Special Agent.

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No. 32.

SUPERINTENDENCY OF INDIAN AFFAIRS,
Great Salt Lake City, U. T., May 15, 1865.

SIR: I have the honor to herewith transmit a report from Special Agent Sale as to his operations in the southern portion of this Territory, and in the adjoining Territories of Arizona and Nevada, during the past winter.

It will be observed that he has made his headquarters at Meadow valley. By the action of the last Congress, this point has been cut off from Utah and added to Nevada. I would call especial attention to the last part of his communication, referring to the establishment of an agency in that portion of the country, with jurisdiction extending over the Pai-Ute Indians ranging in southern Utah, in northwestern Arizona, and southeastern Nevada. This, in my judgment, is important, and necessary to the protection of the settlements and the emigration through that portion of the country; and it being connected in its geographical position with this Territory, the agent in southern Utah should be authorized to take charge of the tribe without reference to territorial lines, which the Indians do not regard.

I would therefore respectfully recommend that Mr. Sale be made a disbursing agent, and that he be required to give bonds of, say \$5,000, and that he be authorized to take charge of the Pai-Ute Indians in southern Utah, in southeastern Nevada and northeastern Arizona, with permission to establish his headquarters at such point as he may deem best and most convenient, within the country inhabited by the Indians referred to.

I am satisfied that these Pai-Utes cannot be induced to live with the Utahs, except by the use of force. This opinion is held by Governor Doty, Ex-Governor Young, and all with whom I have talked, who are familiar with the Indians and that country. It will be necessary to make provision for them upon some other reservation, located in the neighborhood of four hundred miles south of the Uintah valley.

I am, very respectfully, your obedient servant,

O. H. IRISH,
Superintendent Indian Affairs.

HON. WILLIAM P. DOLE,
Commissioner of Indian Affairs, Washington, D. C.

MEADOW VALLEY, U. T., *May 4, 1865.*

SIR: In compliance with your instructions of date October 21, 1864, I started from Great Salt Lake City on the 24th of that month, and proceeded to the southern part of Utah Territory, and arrived at this place on the 15th of November. Meadow valley is distant from Salt Lake City about four hundred miles by the travelled route, and near the southwest corner of the Territory. Snake valley is about one hundred and twenty miles north, and Pahrnatagat valley is about one hundred miles west-southwest, from Meadow valley. The Indians who range in this part of the country are the Pai-Utes. They are a very warlike tribe; I estimate their number at about from two to three thousand, and the country they claim extends from Snake valley on the north to the Colorado river on the south, and from the Wahsatch range of mountains on the east to Pahrnatagat valley on the west, making a district about two hundred and fifty or three hundred miles each way, through which the southern route from Salt Lake City to California passes. These Indians are very poor and destitute. They have no horses or other domestic animals, and live principally on roots, pine-nuts, small game, reptiles, and insects. Many of them had never seen a white man before I went among them. They have never had any assistance or encouragement from government. Those who live near the California road have in many instances become expert thieves, and sometimes steal stock and other things from trains passing the road. Those living near the settlements also steal cattle occasionally from settlers.

I have endeavored to induce them to leave their present country and go to Uintah valley and live on that reservation, but they do not consent. They say they are afraid of the Utahs. It is here proper to remark that the Utahs have long been in the habit of stealing the women and children of these Indians, and either selling them to the Spaniards or to other tribes; sometimes they were kept as servants. This practice is still continued, and hence their fear of the Utahs, and consequent refusal to settle with them at Uintah. They are willing to get together at some place in their own country, but I think it impossible to get their consent to place them with the Utahs.

Within the country claimed by these Indians there are settlements; that is to say, at Pinto creek, St. George, Santa Clara, Clover valley, Eagle valley, Meadow valley, and Big Muddy. These settlements are from twenty to fifty miles distant from each other, except St. George and Santa Clara, which are near together. Silver mines have been discovered at Snake valley, Meadow valley, and Pahrnatagat valley, and parties are taking measures to develop them.

The stock of the settlers and miners must necessarily feed on the bunch-grass, (which is abundant in the mountains,) and are liable to be stolen by the Indians. In order to keep the Indians quiet in the vicinity of the settlements of Utah Territory, I have been compelled to distribute presents and provisions among the Indians in the adjoining Territories, and have given much more to them, especially those in southeastern Nevada, than to those in Utah.

In view of these facts above stated, I deem it my duty to recommend that some action be promptly taken to better the condition of the Indians, and for the protection of the whites, and I know of none more likely to be effectual than the erection of an agency for the Pai-Utes. They should be taken under the protection of the government, and if possible brought together and instructed in agriculture.

By reference to the maps it will be seen that the Pai-Utes' country lies partly in Utah, partly in Nevada, and partly in Arizona, and there is no

agency nearer than four or five hundred miles to which they can be attached; and in my judgment the best interest of the Indians, the white settlers, and the government will be most advanced by the course above indicated, and on account of the peculiar contiguous locations of the country, and for mail facilities, the agent to be under the control of the Utah superintendency.

I have the honor to be, sir, very respectfully, your obedient servant,
THOS. C. W. SALE, *Special Indian Agent.*

HON. O. H. IRISH,
Sup't Indian Affairs, Great Salt Lake City, U. T.

SUPERINTENDENCY OF INDIAN AFFAIRS,
Great Salt Lake City, U. T., May 16, 1865.

SIR: I have the honor to transmit herewith a communication from Special Agent Sale, referring to some discoveries recently made in southwest Utah and southeastern Nevada, which may be of interest to the department, and are likely to introduce a mining population into a portion of the country heretofore occupied only by Indians.

The facts set forth furnish an additional argument in support of the recommendation of Agent Sale, transmitted by me on the 15th instant.

I am, very respectfully, your obedient servant,
O. H. IRISH, *Superintendent Indian Affairs.*

HON. W. P. DOLE,
Commissioner of Indian Affairs, Washington, D. C.

MEADOW VALLEY, May 4, 1865.

SIR: Important silver mines having recently been discovered in the southeastern part of Nevada, or southwestern Utah, I deem it not improper to communicate to you such information as I have been able to collect relative to the locality and value of the discovery, as it is probable that it will be the means of introducing a large emigration into a portion of the country that has been heretofore wholly occupied by the Indians.

The mines are situated in the foot-hills of a range of mountains, which bound the Pahranaagat valley on the west, and are about one hundred miles west-southwest from this place, and one hundred miles from the navigable waters of the Colorado river. The valley lies between two ridges of mountains, which run nearly parallel, and is, from mountain to mountain, about from ten to fifteen miles wide, and from thirty-five to forty miles long. It lies in about latitude $37^{\circ} 30'$ north, and longitude 38° west from Washington. The course is from northwest to southeast. It is well watered and the soil fertile. In the valley is a chain of small lakes, five in number. The water is clear and pure and abounds with fish. This chain of lakes extends from end to end of the valley.

The mountains, especially those on the west of the valley, are high and rugged, are well timbered, and Indian guides informed me that springs of water are found among the rocks. There are seven large springs in the valley, which afford ample water-power for machinery, and a plentiful supply of water for irrigating purposes. The water of these springs is most beautiful, clear and pure.

The climate is mild. A very old Indian told me that he had lived there all his life, but had never seen snow in the valley until the past winter, and then the ground was only just covered, and it disappeared the next day.

The mines, as already stated, are in the west range of mountains, and are

convenient to water and timber. I visited the place in the latter part of March, and procured as many specimens of the ore as I conveniently could, some of which I send you. These specimens, I am told, are not to be considered fair samples of the ledges from which they were taken, because they were taken from the surface; but I have had them examined by good judges, who concur in pronouncing them very rich.

I procured a test to be made by a chemist; the specimen used was about an average one in appearance; and the results showed $7\frac{1}{4}$ grains pure silver, and $1\frac{3}{4}$ grain gold, from three ounces of ore, which is pronounced exceedingly rich for top rock. The ledges are wide and well defined, varying from one to five feet in width; many of them can be traced without any difficulty for half a mile; they are in what the miners call slate rock.

I have very little doubt but that this is the far-famed "silver mountain," to find which so many expeditions have been fitted out since 1852. I am informed that some time in the year 1852 a train of California emigrants passed through Salt Lake City, taking the southern route as far as the mountain meadows, when they took a west course, leaving the usually travelled road. They passed through Meadow valley and crossed a range of mountains, here known as the "West mountains." It was a considerable train, and the trail it left is still plainly visible for miles, leading in a west and northwest direction. It is said they travelled in that direction about 150 miles from Meadow valley, when they came to a wide desert, destitute of water and vegetation, when dissension taking place among them, they divided into three companies, all of which took different directions. One party is said to have perished at or near a place called Death Valley. One, I believe, was never heard of afterwards; at any rate, there were very few survived.

The statement further is, that some one of the company discovered in this region of country exceedingly rich mines of silver. The discoverer is said to have perished, but specimens from which were carried by a lady, who survived, to California, and upon examination were found to contain nearly pure silver. Many expeditions, I am informed, have been fitted out to find the place, none of which have been successful, owing, perhaps, to the fact, that the attempts have been made from the west to follow the trail back, and the parties were unable to cross the desert. The party which made this discovery started from Meadow valley.

The Indians told me that many years ago white people with wagons passed through their country north of Pahrnagat valley, and perished on the desert, and that the remains of the wagons and bones of cattle are still to be found. From the summit of the mountains west of the valley can be seen a wide sterile desert, apparently destitute of water and vegetation; it is very wide. The Indians say it is five days' travel across it, (which is about one hundred and fifty miles,) and that it was on this desert that the whites and their stock perished for want of water.

All these facts seem to me to warrant the belief that Silver mountain is found at last. At any rate, something worthy of attention is discovered.

I have the honor to be, very respectfully, &c.,

THOMAS C. W. SALE,
Special Indian Agent.

Hon. O. H. IRISH,
Supt Ind. Affairs, Great Salt Lake City, Utah Territory.

No. 33.

GREAT SALT LAKE CITY, UTAH TERRITORY,
November 25, 1864.

SIR: On the 18th of this month the northwestern bands of Shoshonees were met by Colonel Irish and myself by invitation, at Box Elder, in this Territory, and their treaty as amended was submitted to them, and their assent was given to the proposed amendment of the Senate by adding article 5 to the treaty, and their agreement, duly executed according to your instructions, is herewith transmitted. One of the principal men who signed the treaty, and whose name does not appear to this agreement, died during the past year; and another was absent on a hunt, as was reported.

There were, however, between four and five hundred of these bands present, who gave their assent freely to the Senate's amendment, and joyfully participated in the annuity provided by the treaty. It is believed the only individuals in these bands who were absent on this occasion were those of five lodges, to one of which it is supposed the absent chief belonged, on the Goose Creek mountains, who refused last year to unite with these in their treaty.

With these lodges it is hoped that the superintendent may be instructed to open negotiations during the winter or spring, as they are on the northern California road, and near the newly travelled road to Boise from this city.

The treaty with the Shoshonee-Goship bands, as ratified by the Senate, was submitted to those bands at Tuilla valley on the 24th instant, and their assent was given to the Senate's amendment, by an agreement, adding article 8 to the treaty, which was duly executed by the chiefs and principal men, according to your instructions, and is herewith transmitted. Harry-nup, who signed the treaty, had died last winter, and Dick Moni, one of their principal and best young men, now signed in his stead as a chief.

Colonel Irish, as the superintendent of Indian affairs in this Territory, joined by my invitation in the councils and negotiations, and the funds for holding intercourse with these bands being in his hands, none having been received by me for this special service, he has paid all of the expense incurred.

The northeastern bands of Shoshonees who were treated with at Fort Bridger, and the mixed bands of Bannacks and Shoshonees treated with at Soda springs, had left for their buffalo hunt near the Wind River mountains, in the territory attached to Nebraska, before the arrival of the superintendent, and it is not probable they can be met until spring, when the Senate's amendments will be submitted to them; and from what I have learned of their feelings, have no doubt of their acceptance. They could not be negotiated with at an earlier day, for the reasons stated in my letter to the Commissioner of the 13th of June last.

I have the honor to be, very respectfully, your obedient servant,

JAMES DUANE DOTY, *Commissioner.*

Hon. W. P. DOLE, *Commissioner of Indian Affairs.*

No. 34.

FORT BRIDGER AGENCY, UTAH TERRITORY,
September 28, 1865.

SIR: In compliance with the regulations of the Indian department, I have the honor to submit the following report relative to affairs at this agency during the past year:

The Territory over which my surveillance extends is bounded on the north by Snake river, east by the Sweet Water and North Platte rivers, south by Yampa and Bear mountains, and west by the valley of Salt lake. The Indians occupying this tract are known as the eastern band of the Shoshonee tribe, under the acknowledged leadership of Wash-a-kee, an Indian chieftain who has never been known to have held hostile relations with the whites, and who, when a portion of his tribe deserted him to join a band of insurrectionists, remained firm in his allegiance, though bound to keep the peace by no treaty stipulations.

In my report of last year I estimated the number of these Indians at fifteen hundred souls. No enumeration could be made this year, but from the best data I am able to obtain I should set the population at eighteen hundred—men, women, and children. In addition to the natural increase by births, there have been additions from neighboring tribes by old deserters coming back, and those individuals who, attracted by Wash-a-kee's rising home, have cast their lot with him.

This tribe is entirely nomadic; and there being no reservation or land which they can call their own, they spend about eight months of the year among the Wind River mountains and in the valleys of the Wind river, Big Horn and Yellowstone. Here they subsist entirely by chase—buffalo, deer, elk, and the mountain sheep affording them their only food. They are tolerably well provided with comfortable lodges, perhaps one hundred and fifty in all. They clothe themselves almost exclusively with the skins of the deer, sheep, and buffalo, made into garments of a style peculiarly their own. The leggings and breech-cloth are not very soon to be replaced by the pantaloons worn by the whites. I observe a marked improvement each year in their means of protection against the inclemency of the weather. This people have never turned their attention to agricultural pursuits, nor can it be expected of them until they are placed upon a reservation where they can have the necessary protection. If they are not provided with such a home, they are destined to remain outside of those influences which are calculated to civilize or christianize them, as has been done in many parts of our country to tribes not one whit more susceptible of being rendered useful members of society. Wild Indians, like wild horses, must be corralled upon reservations. There they can be brought to work, and soon will become a self-supporting people, earning their own living by their industry, instead of trying to pick up a bare subsistence by the chase, or stealing from neighboring tribes with whom they hold hostile relations. I trust this matter will engage the serious attention of the department.

As I have said, this tribe live entirely by hunting wild animals, because their only source of revenue is derived from the sale of skins. The result of the past year's hunt might be stated approximatively at eight hundred buffalo robes, five hundred beaver skins, and four hundred elk and mountain sheep skins. These products of their only industry are either bartered with other tribes for ponies, or with white traders for small articles of merchandise—paint, beads, and trinkets.

The Shoshonees are friendly with the Bannacks, their neighbors on the north, and with the Utes on the south, but are hostile toward the tribes on their eastern boundary, viz: Sioux, Arapahoes, Cheyennes, and Crows, between whom there is more or less stealing continually going on. Wash-a-kee feels himself too weak to engage in any aggressive movements against either of these tribes, but says that if he should be attacked he would give them battle. When the tribe arrived at this agency, in June last, some fifty of the braves hearing of General Connor's expedition against the Sioux, presented themselves armed and equipped, eager to join the troops in a campaign against their old foes. The lack of a suitable military organization moving from this point alone prevented the acceptance of their services.

The sanitary condition of the tribe is good; no epidemics have visited them, and vaccination never has been thought necessary. They mingle so seldom with the whites that they are not exposed to their diseases. Pulmonary affections are infrequent, and deaths from any cause whatever are comparatively rare.

On the seventeenth of this month I turned over to Wash-a-kee the annuity goods for last year, which came too late for delivery. These, consisting of blankets, calicoes, butcher knives and tobacco, were distributed to the most needy ones, and seemed to give universal satisfaction. The time had arrived for the tribes to return to their hunting grounds and make preparations for winter, or I should have insisted on their remaining until the goods for the present year came to hand, which would have made their outfit more complete.

It affords me pleasure in stating that the Indians belonging to this district are peaceable and well disposed; that all their acts have been in strict accordance with the friendly relations which have heretofore existed between themselves and the white resident population of this Territory, as well as those passing through. In many instances they have aided persons seeking to develop the mineral resources of the country by pointing out valuable deposits of silver and coal or oil springs.

No outbreak has come to my knowledge; few, if any, trespasses have been committed, and no incursions have been made by them, and I am proud to say that they remain true to their treaty stipulations.

Some dissatisfaction has been expressed by them that the annuity goods do not reach this agency in time enough for distribution to let them get to their winter hunting grounds before the snow prevents their progress thither. I would therefore urge upon the department the recommendation made in my last annual report, that all goods designed for this place be shipped at the earliest practicable moment, in order that they may reach the agency in time for such distribution.

I would again most respectfully urge upon the department the necessity of erecting an agency building. I am at present entirely dependent upon the military authority of this post for shelter. I would also urge upon your department the necessity of furnishing the agent with a pair of mules for his ambulance.

I am, sir, very respectfully, your obedient servant.

LUTHER MANN, JR.,
United States Indian Agent.

Hon. O. H. IRISH,
Superintendent Indian Affairs, Salt Lake City, U. T.

NEW MEXICO SUPERINTENDENCY.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Santa Fe, New Mexico, September 10, 1865.

SIR: I have the honor to submit the following report of the condition of the Indian tribes of this Territory:

The absence of any reports from the agents, and the limited time I have occupied the superintendency, prevent me from doing the subject that justice it requires.

On entering upon the discharge of the duties of the office on the 2d of May last, I found it without funds, and very deficient in everything else. Complaints were almost daily made of the destitute condition of the different tribes of Indians, to supply which I was compelled to use my own means. I immediately advised the Commissioner of the condition of affairs, who very

promptly ordered an amount to be placed to my credit, sufficient for the expenses of the 2d and 3d quarters 1865, which occupied some six weeks in reaching me.

In speaking of the Indians, I will classify them as follows, viz: Navajoes, Apaches, Utahs, and Pueblos.

NAVAJOES.

This formidable tribe, numbering some eight thousand souls, have been, for the last century a scourge to the Territory, constantly preying upon the flocks and herds of the inhabitants, and every year murdering more or less of the citizens. Indeed, their hostilities had reached a point when life and property were insecure even in sight of the capital.

This state of things continued after many unsuccessful campaigns against them, which were generally concluded by a treaty, and which in every instance was forfeited by them before it had time to be ratified at Washington, until the wise policy of Brigadier General J. H. Carleton, in 1863, conceived and carried into effect the policy of locating them on a reservation. To this end he instituted a campaign against them, under the command of Colonel Kit Carson, and from the energy and promptness with which it was prosecuted during the months of winter in a cold and rigorous climate, this hardy mountaineer overcame all obstructions and brought it to a happy issue in subduing the Indians to a great extent, and removing them to the reservation at the Bosque Redondo, on the Pecos river, where they have remained, under the charge of the military department, to the present time.

They arrived there in the winter and spring of 1863-'64. The following year, 1864, they opened an *acequia*, about seven miles in length, prepared and planted about fifteen hundred acres in grain, vegetables, &c., and had the promise of an abundant yield up to the time the army worm attacked their corn, and destroyed it almost entirely. Not discouraged, however, by this untoward event, they went to work with a will, and the present year they planted about thirty-five hundred acres in corn, wheat, beans, pumpkins, melons, &c., the result of which has exceeded their expectations, except the loss of a portion of their wheat during harvest by the continual heavy rains.

It is fair to presume that next year their facilities will be greater, from the fact that they can increase the size of their fields, and the land already in cultivation will be much easier to work.

There are now at the reservation 7,151 Navajoes, of all ages and sexes, a large majority of whom profess to be entirely satisfied. It is true some of them, who have never had any restraint upon their licentiousness, and who are unwilling to be forced to relinquish their former roving life and settle down to quiet agricultural pursuits, have attempted to escape, and a few have succeeded in reaching their former home. It requires time to subjugate this class. It cannot be expected that all of them will at once consent to give up their nomadic life and become civilized. They will gradually see the good effects resulting to those who remain, and the impossibility of so few sustaining themselves isolated from the main body for any length of time, and will finally consent to be placed on the reservation. There are probably five hundred in their own country yet, but steps are being taken by the military to bring them in.

I regret to say that a portion of our citizens profess to be opposed to this reservation. I am inclined to believe, however, that this hostility does not arise from a conviction that it is not the best policy that can be adopted for the welfare of those Indians, for every one can see the good effects resulting to them, as well as the security it has afforded to the lives and property of

the citizens of the Territory, but rather they view it from a political standpoint. Every means, however unfair, has been resorted to for the purpose of impeding the prosperity and final success of the enterprise.

The Colorado Chiquito is urged by those opposed to the Bosque as a more suitable location for the Navajoes. The simple location is enough to condemn it, to say nothing of the scarcity of arable land. It is adjacent to the endless mountain-fastnesses heretofore occupied by the Navajoes, with every part of which they are well acquainted from a long residence there, and would require a much larger force than could be put there, from the limited number of troops in the Territory, to prevent their escape to the mountains, if they should be disposed to do so, which doubtless some of them would. It would result in a re-enactment of the scenes of murder and robbery that have marked their path for so many years.

The present reservation is situated on a plain extending many miles in every direction, upon which little or no water is to be found in the direction of their former home. Hence the great difficulty of Indians successfully escaping.

It seems needless for me to present further the advantages both to the Indians and whites from the present location of the former.

The congressional committee who visited the reservation, and who are eminently qualified for the task, will doubtless give it that impartial consideration it requires, and whose report will go far towards reconciling this vexed question, either by establishing or rejecting it.

I would recommend that both the Navajoes and Apaches at the reservation remain in charge of the military until they become permanently established. The expenses will be large, but will grow less every year, until within a few years they will be self-supporting. The purchase of a few thousand sheep and goats would furnish them with wool, which, with their ingenuity in manufacturing blankets and clothing, would in a short time greatly lessen the expense of those articles. It would also supply their families with milk. In this way as their farms and flocks increased they would become more and more interested, until finally they would be but little or no trouble or expense to the government.

THE MESCALEERO AND JICARILLA APACHES.

What is true of the Navajoes is also true of the Mescalero Apaches. They, too, have spread desolation over the country. They have caused many a wail to ascend from bereaved parents for the loss of a son, who left the paternal roof at early morn with his flock and herds to graze upon the grass-covered hills and mountains unsuspecting of danger until his ear is greeted with the accursed war-whoop of a band of Apaches, when he is murdered outright or carried into captivity. The depredations of the Apaches have been many and bloody. The same policy was adopted towards them by General Carleton, under the lead of the indefatigable Kit Carson, with also good results. They were also brought to terms and placed at the reservation, where they are planting and doing well. The same results from farming accrued to them as to the Navajoes, and the same course of policy should be pursued towards them. The number at the reservation is 472.

The Jicarillas, located at the Cimarron agency in the northeast part of the Territory, under charge of Agent Labadi, numbering some 900 or 1,000 souls, are a band of the same tribe. They are the most worthless vagabond Indians in the Territory. During the last six months some complaints have been made against them for killing cattle, &c., belonging to citizens, which no doubt are true, and for which the owners should be paid. In consequence of not having the means to feed them, these Indians, as well as all the other

tribes under my charge, were short of provisions; hence they resorted to the means above alluded to of killing cattle.

Several murders have been committed within the last six months in that portion of country over which they roam; supposed, however, to have been done by some two or three of the band who were discarded and driven away several years since. I would earnestly recommend that this band be placed on the reservation with the Mescaleros, where they can be made to work and do something toward supporting themselves. While they are permitted to live in idleness and roam over the country at will, no improvement may be expected in their condition.

UTAHS.

The Utahs are divided into three bands—Mohuaches, Capotes, and Nomenuches or Poruches. The Mohuaches compose a part of the Cimarron agency with the Jicarilla Apaches, and like them are equally guilty of the depredations committed in that vicinity. They number about 500 or 600 souls. This band was, by an order of the Secretary of the Interior, dated January 1, 1864, assigned to the Colorado superintendency, where the Tabaquaches (a band of the same tribe) are located. It being their former home, a portion of them returned. The remainder should be removed there at once. By so doing and removing the Jicarillas to the reservation at the Bosque, it would relieve the government of the expense of that agency, and at the same time protect a large extent of country from the presence and depredations of those two bands.

The Copotes and Nomenuches are located on the northwest border of the Territory. They number about 2,500 souls, under the charge of Agent Archuleta. Special Agent Garcia is at present assisting the agent, from the fact that these Indians range over an extent of country covering 40,000 square miles, including within its limits the valley of the San Juan, which embraces some of the most fertile lands in New Mexico. They are a formidable and warlike tribe, and have given much protection to that portion of the Territory they inhabit from the inroads of the Navajoes. They have for the last year conducted themselves well. They live principally by hunting, seldom visiting the settlements, unless driven in by hunger, or to receive their annuities. Game has become scarce, and cannot be relied upon to subsist the Indians. They are generally poor, owning no property except a few horses.

They are averse to being settled on reservations, feeling no disposition to work, but by proper management might be induced to do so. The valley of the San Juan presents a desirable point for this purpose. It is far removed from the settlements and all other Indians, situated in the heart of the country claimed by them, and well adapted to agricultural and grazing purposes. The policy of reservations has been so long and earnestly presented to the department, that it would seem needless in me to urge it further. It appears now to be the settled policy of the government, and only awaits action.

The wandering tribes in New Mexico are so similar in habits, the resources of the country over which they roam so nearly the same, and their wants so identical, that to speak of a policy suited to any particular one would apply to all. So long as their wants are supplied they are contented; but let the cravings of hunger overtake them, then the true character of the Indian is brought to the surface. He will steal at the risk of his scalp.

PUEBLOS.

These Indians, though last, are entitled to the first consideration of the government. They are eminently a self-supporting people, industrious and

honest. But few of them can read, and the number is growing less every year from deaths. I regret to say that there is not a school in the Territory for the education of Indians, notwithstanding the attention of the department has been so often called to this important subject. A few thousand dollars appropriated for schools among them, the purchase of agricultural implements, and the establishment of blacksmith shops for the purpose of keeping their tools in order, and at the same time teaching them the art of blacksmithing, would not only be an act of charity on the part of the government, but would give to the Indians the advantage of a plain education, and prepare them to become useful and worthy citizens. They have suffered greatly in years past from the attacks of the Navajoes, losing much stock and many lives of their people. Being uneducated, they are easily imposed on by designing whites, a number of whom can always be found ready to take advantage of them.

From the ravages of the grasshopper, and the overflow of the Rio Grande this year, many of the pueblos along that stream have lost almost their entire crop. Much suffering must be the result, without some assistance, of which I advised you in my letter of the 31st July and 20th August, to which I would again beg leave to call your attention.

They have received the patents to their lands, except two pueblos, (Laguna and Aconia,) and expressed much satisfaction at getting them. I would recommend that the two remaining pueblos be surveyed and patented.

In conclusion I would remark that one of two things will have to be done with the unsettled Indians of this Territory. They must either be placed in reservations, or fed and clothed by the government. Just so soon as the government fails to supply them, just so soon they commence to supply themselves by depredating upon the citizens; and this will continue so long as they are permitted to remain in idleness, and roam over the country at pleasure. In my humble judgment, the former is the only policy that can be adopted for the future welfare of all concerned.

I am, very respectfully, your obedient servant,

FELIPE DELGADO,
Superintendent of Indian Affairs.

No. 36.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 12, 1865.

SIR: I enclose herewith a copy of an order issued on the 9th instant by the President to the heads of the several executive departments.

You will forthwith direct the subordinates, employes, and agents of this department, who belong to the Indian service within the Territory of New Mexico, to discountenance the practice mentioned in the order aforesaid, and to use all lawful means to suppress the same.

You will instruct them to report to this department all instances of the practice in question of which they have personal knowledge, or information from sources entitled to credit.

Such violations of the personal liberty of Indians, and the exaction from them of unrequited labor, should not be tolerated in a country professing to be free.

It is my fixed determination to use whatever power this department may possess to prevent a repetition of them. I therefore expect that the officers under its control or supervision will cheerfully co-operate in putting an end to this barbarous and inhuman practice.

If our present means should not be sufficient to accomplish the object, Congress will be asked to authorize more vigorous measures.

I am, sir, very respectfully, your obedient servant,

JAMES HARLAN,
Secretary of the Interior.

Hon. WILLIAM P. DOLE,
Commissioner of Indian Affairs.

No. 36 A.

Order of the President of the United States.

EXECUTIVE MANSION, June 9, 1865.

It is represented to me, in a communication from the Secretary of the Interior, that Indians in New Mexico have been seized and reduced into slavery, and it is recommended that the authority of the executive branch of the government should be exercised for the effectual suppression of a practice which is alike in violation of the rights of the Indians and of the provisions of the organic law of the said Territory.

Concurring in this recommendation, I do hereby order that the heads of the several executive departments do enjoin upon the subordinates, agents, and employes under their respective orders or supervision in that Territory to discountenance the practice aforesaid, and to take all lawful means to suppress the same.

ANDREW JOHNSON.

No. 37.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Santa Fe, July 16, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of the 14th ultimo, enclosing a communication from the Secretary of the Interior, and an order from his excellency the President of the United States, in reference to the enslaving of Indians in New Mexico.

In reply allow me to say that the representations made to the government upon this subject have been greatly exaggerated.

It is true there are among the citizens of the country a large number of Indian captives belonging to various tribes, that have been acquired by purchase from the Utah, Navajo, and other tribes; but the object in purchasing them has not been to reduce them to slavery, but rather from a Christian piety on the part of the whites to obtain them in order to instruct and educate them in civilization, and at the same time to leave them at full liberty whenever the Indians desired it; in some cases to remain until they were twenty-one years of age.

This has been the practice in the country for the last century and a half, and the result arising from it has been to the captive favorable, humane, and satisfactory.

When those Indians wish to marry, their guardians do not object, but rather treat them as their adopted children, and give them pecuniary aid at the time of their marriage. When the guardian dies they usually leave something to the captives.

But in my official capacity I am always ready to obey the laws and comply

with the orders of my superiors. With this motive in view I hope you will give me such further instructions as may seem proper on the subject.

I have already given orders to the several agents under my charge that under no pretext whatever will Indians be permitted hereafter to be bought and sold, or held as slaves.

I will use all my vigilance to the end that this practice may be forever discontinued.

Very respectfully, your obedient servant,

FELIPE DELAGADO,

Superintendent Indian Affairs.

Hon. W. P. DOLE,

Commissioner Indian Affairs, Washington, D. C.

No. 38.

PUEBLO AGENCY,

Pena Blanca, New Mexico, August 26, 1865.

SIR: I have to acknowledge the receipt on the 7th instant of your circular of the 28th June last, together with blank statistical returns of farming, education, &c., and in reply allow me respectfully to state that the time left between the receipt of the circular and that at which the returns are required to reach Washington city is entirely too short to do anything like justice to the different subjects treated upon as far as they relate to the agency under my charge.

There are nineteen pueblos (villages) within this agency, some of which are between two and three hundred miles apart. Each would have to be visited, and most, if not all, of the required information ascertained by personal examination, as the Indians themselves can give no reliable information in regard to the most important particulars, such as to the number of bushels of grain raised, its value, nor as to the number of acres cultivated. The Pueblo Indians, as the department must be aware, cultivate their own lands in severalty without any aid *whatever* from the government. Hence, they have no farmers nor any one else to take any particular care as to the quantity of grain raised by each individual; neither do the Indians pay much attention to this matter.

As to the education of the Pueblo Indians, nothing could now be said that has not already been represented in previous reports, particularly since there is not a *solitary* school for their benefit among them; hence no teachers.

Under these circumstances I would respectfully refer the department to my report of last year, (1864,) annexed to that of the honorable Commissioner for the same period, which, upon examination, will be found full and complete in regard to the information required by the circular. The statistical return annexed to the same report is also as complete as any which could now be made, and as the progress of the Pueblo Indians is, comparatively speaking, very slow, the information therein contained can be fully relied upon, and I confidently trust will prove sufficiently correct to answer all purposes.

Very respectfully, your obedient servant,

JOHN WARD, *Indian Agent.*

Hon. W. P. DOLE,

Commissioner Indian Affairs, Washington City, D. C.

No. 38½.

UTAH AGENCY, *Abiquin*, September 1, 1865.

The Utah Indians, in charge of this agency, are composed of several tribes of wandering Indians, who have not yet left their nomadic state, but rove over a vast extent of chiefly mountainous territory, and inhabit the wilds between the Rio Grande, in the Territory of New Mexico, and the Great Salt lake, in the Territory of Utah. To this agency particularly belong portions of the tribes of Copote and Guignimuche Utahs. Besides what is furnished them by the government, through this agency, these Indians subsist by the chase, and by what they steal and beg from the citizens of this Territory, and those of Colorado and Utah. Many of them continually carry on a warfare with that portion of the Navajoes which has not been subjected and placed upon their reservation at the Bosque Redondo, on the Pecos river. They do not cultivate the soil, and it seems that they are enemies to this first step in the progress of civilization. Some fifty or a hundred warriors belonging to these tribes have, at different times, been employed by the military of this Territory as spies and guides in the Indian wars, and are said to have performed good service.

Considered as beings of intelligence, they are of the lowest imaginable grade. They seem to have no conception or appreciation of an all-wise ruling Power. Persons not well acquainted with them are easily deceived by them as to their intelligence; they are fox-like, crafty, and cunning, and will answer questions addressed to them to suit, if possible, the desire of the questioner, without themselves understanding anything of the subject of conversation. Their worship, if worship at all, consists of a silly unmeaning idolatry, perhaps more of a custom with them than anything else. Dr. Leatherman's article on "the Navajo Indians," (vide Smithsonian report, 1855,) gives the fairest and most exact views of the intelligence of the Indians surrounding New Mexico of any publication on that subject I have ever seen. And here, even, it may be asserted that the Navajoes are somewhat advanced in intelligence above the other of our remaining neighboring tribes of Indians.

As the Indians are nowhere stationary, and do not live together, but are roving over the country in different hordes and at different places, and portions of them only make occasionally their appearance at the agency to receive the government bounty, it is impossible to take any correct census of them. I do not believe that they increase in numbers, but rather think that they are on their decline. The extreme inclemency of the weather of the country they inhabit, and diseases, such as small-pox and syphilis, are fearful executioners among them. Their intercourse with the whites has benefited them but little; they seem to have readily adopted all the latter's vices, but none of their virtues. They are, both males and females, almost without exception, addicted to the vice of intoxication, and will make any sacrifice to obtain spirituous liquors. To sell or give this article to the Indians has been wisely prohibited by our legislature, and transgressors of this prohibition, when discovered, are visited by the punishment provided. The policy recently inaugurated in this Territory to compel the wild tribes to live upon reservations is the only mode calculated to benefit the Indians, and to redound to the interests of the government and people.

DIEGO ARCHULETA, *Agent*.

No. 39.

SANTA FÉ, NEW MEXICO, June 12, 1865.

SIR: I have the honor to inform you that upon this day Lorenzo Labadi and Toribio Romero came before me and made their bonds and took their several oaths, as required by law, as Indian agents, and I delivered to each his commission. The bonds and oaths you will find herewith enclosed to you. I took no affidavits from the sureties as to their pecuniary sufficiency, as I am well acquainted with the property standing of each, and the security I know to be ample for the penalties of the bonds. As to character, also, the gentlemen who have become the sureties are all of high standing in the Territory.

While writing, I will state that neither the lately appointed superintendent, nor either of the four agents recently commissioned, can keep their accounts or report to you in the English language. Labadi can nearly keep his accounts in English, and in Spanish can keep them in good form and style. He understands much of the English when he hears it spoken. (He is the one reappointed.) Salazar speaks a very little English. The superintendent and agents will necessarily have to depend upon clerks or friends to make out their accounts and reports for them. Much, therefore, will rest upon the integrity and good faith of the clerks or friends who may be trusted in a confidential relation with the officers in this portion of the Indian affairs.

The mail from the States arrives here and returns across the plains once in two weeks only. This may explain the slow transmission of correspondence to and from Washington. The contract time is for the transportation of the mail over the whole route so it will reach each end once a week. Indian perils are the reasons alleged which prevent a full compliance.

I have the honor to be, very truly, your obedient servant,

KIRBY BENEDICT,

Chief Justice New Mexico.

Hon. W. P. DOLE,

Commissioner of Indian Affairs, Washington, D. C.

No. 40.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,

Santa Fé, August 20, 1865.

SIR: In my letter of the 31st July I called your attention to the condition of the Indians in this Territory. Since then I have sent Agent Ward to some of the Pueblos, whose crops have been most injured by insects and the overflow of the Rio Grande, for the purpose of ascertaining their condition.

I would respectfully refer you to a copy of this report, herewith transmitted, marked (A,) also a copy of a letter from the parish priest of the pueblo of Isleta, marked (B;) from them you will see that more or less of the Pueblo Indians must necessarily suffer unless the government extends to them some relief. Those Indians, as a general thing, support themselves, and are but little expense to the government. They are a quiet, inoffensive people, and seldom complain, not even when reduced almost to starvation, as will soon be the condition of some of them. The appropriation by Congress for this superintendency is not sufficient to feed the Indians under our charge, apart from the Pueblos, and we are sometimes six and eight months before receiving any part of that, (as is the case now;) the consequence is, that the Indians will kill cattle, sheep, &c., wherever they can find them; hence the continued complaints of Indian depredations.

It would be a charitable act on the part of the government to appropriate a few thousand dollars (if available) for the relief of the Pueblo Indians, who, without it, are bound to suffer.

I would respectfully ask your careful consideration of this matter, hoping that something may be done to alleviate the wants of an industrious and for the best portion of our Indian population.

Very respectfully, your obedient servant,

FELIPE DELGADO,
Superintendent Indian Affairs.

Hon. WM. P. DOLE,
Commissioner Indian Affairs, Washington City.

No. 40 A.

PUEBLO AGENCY,
Pina Blanca, N. M., August 6, 1865.

SIR: I returned yesterday from visiting the pueblo of Isleta, in compliance with your instructions of the 19th ultimo.

From the best information I was able to obtain from some of the authorities, as well as from other natives, and from personal observation, the wheat crop is an entire failure, resulting from the attack of the myriads of insects of different kinds which have made their appearance this year, not only at this pueblo, but also throughout the greater portion of the Territory, and from the effects of the overflow of the Rio Grande, which has washed away many of the fields.

The corn crop, although not entirely destroyed, has suffered much from the evils before alluded to, and perhaps not more than one-half of the average year's crop will be saved. The river, which at the pueblo runs about north and south, broke in several miles above, taking a circuitous course by the foot of the hills on the west side of the pueblo, thence running until it emptied into the main channel, a short distance below the pueblo, which, being located on the west bank of the river, became entirely isolated.

That portion of the river which flowed between the pueblo and the hills to the west swept away many of the vineyards and orchards, for which this pueblo has always been celebrated, and from which their owners usually derived a considerable profit. Thus many families have also been deprived of that portion of the means of subsistence. So that, on the whole, it can be safely said that the majority, if not the entire population, has greatly suffered. This will be more particularly the case after they raise what little may be left to them, and the grain and other products diminish in quantity as the fall and winter months advance; or, in other words, until next season.

Under these circumstances, I would respectfully suggest the propriety of the department here making timely arrangement to alleviate the wants of these unfortunate people as soon as their necessities may fully justify, which, in my opinion, will not be long.

For your better information, and as further evidence, I herewith enclose a letter on the subject from the parish priest, who resides at Isleta.

As to the crops between this point and the Isleta, the wheat has been much damaged by the insects; the corn at present has a favorable appearance, and hopes are entertained that it will yield a reasonable crop. I am

fearful, however, that some of the Pueblos, as well as many of the poorer class of the people of the country, will suffer considerably before the next year's crops are gathered. * * *

Very respectfully, your obedient servant,

JOHN WARD, *Indian Agent.*

FELIPE DELGADO, Esq.,

Superintendent Indian Affairs, Santa Fé, N. M.

No. 40 B.

MY DEAR SIR: You have requested of me my opinion relative to the damages done by the river or by the insects. Complying with this request, I have to state—

1st. In regard to the wheat, the crop of all this pueblo is an entire failure.

2d. In regard to the corn, the fields that have escaped the insects and the freshet are rather fair, enough so to afford, up to this time, some hope from them.

3d. But the greater portion of the Pueblo cultivated land, that is to say, that part lying between the Padillas road and the hills on the west, the fields in that section have been utterly destroyed by the river and insects.

4th. The river having invaded the grape patches and the orchards, carried away the grapevines and fruit-trees. Numerous poor farmers have had to lose the only support of their families.

5th. The pueblo of Isleta in former years raised much fruit, which usually afforded a great relief to the poor. But this year the frost deprived them of this dependence, wherefore they can now trust only in God for their daily bread.

Such, dear sir, is my view of our poverty. We trust that the government, which knows how to wipe away tears, will come to the relief of the poor Indians of Isleta.

I am, sir, your obedient servant,

FELIZ JOURET, *Parish Priest of Isleta.*

No. 41.

OFFICE SUPERINTENDENCY,

Santa Fé, N. M., April 21, 1865.

SIR: I have the honor herewith to enclose copy of communication from John Ward, Pueblo agent, relative to the Moqui Indians. There has heretofore been but little known of these Indians. A few travellers have visited them in passing hurriedly through the country. Their description and the fabulous accounts of the Spanish conquerors savor more of fiction than reality.

John Ward, under instructions from my predecessor, Colonel Collins, visited these villages in 1861, and reports the names and population of each, viz.:

Oraiva.....	800
Sho-mon-pa-vi.....	600
Tano.....	250
Ci-cho-mo-oi.....	100

O-pi-ji-que.....	300
Mi-shan-qu-na-vi.....	250
Sha-pan-la-vi.....	200
Total population.....	<u>2,500</u>

Total population of the seven villages, according to his estimate and that of Major Kendrick, who visited them previously, is about two thousand five hundred souls.

The towns are all within an area of about fifteen miles, and built upon an elevated plateau or table land. The idea of great stone edifices among the Moqui villages is fiction; their houses are built of adobes, and inferior to those of the Pueblos of New Mexico, mostly two stories high, and entered by ladders, and bear evidence of great antiquity. The province of Moqui, as it was termed by the early Spanish historians, was at that time, no doubt, a prosperous and powerful division of the Pueblo or Village Indians; and the fact of Montezuma having gone from his birth-place, near Santa Fé, to Moqui, when on his way to the city of Mexico, and the further fact that the people of Tanos, one of the villages, at present speak the Tequa language, which is also spoken by several of the New Mexican Pueblos, leave but little doubt as to their common origin with all the Village Indians of this country.

These villages are entirely surrounded by wild Apaches and Navajoes, who have done much to reduce them to their present destitute condition; but this, in my opinion, is not the chief cause of their poverty and rapid decline; their supply of water for irrigation is evidently failing, from causes beyond their control. According to the report of Colonel Carson and others, they have for years been in a most destitute condition for want of a supply of this prime necessity. The additional fact that other deserted ruins are found near their towns, where at present there is no water found even for drinking purposes, is proof positive that natural changes are gradually taking place that lessen the supply of water. For several years they have not been able from this cause to produce corn enough for their people to subsist upon, and hence their utter destitution and starving condition during the present winter, and the necessity of the expenditure for provisions at the Pueblo agency. Steps should at once be taken to remove these inoffensive people to a more favorable locality; and as they belong properly to the Arizona superintendency, I would respectfully ask that the proper superintendent be instructed to inquire into their condition, and to adopt some plan by which their immediate wants can be supplied and their future prospects improved.

Very respectfully, your obedient servant,

M. STECK, *Superintendent of Indian Affairs.*

Hon. W. P. DOLE, *Commissioner of Indian Affairs.*

No. 42.

PUEBLO AGENCY, NEW MEXICO,
Peaa Blanco, New Mexico, April, 1865.

SIR: I have the honor herewith to submit my accounts, returns, &c., for the quarter ending March 31, 1865, which I trust, after due examination, will meet your approval, and be by you transmitted to the proper department.

You will perceive that the accounts for provisions and fuel exceed in amount those of previous quarters for the same items, but this could not be otherwise. In addition to the unavoidable expenses incurred by the almost daily visits of the Indians under my charge, and the high rates of prices to be paid for everything, in consequence of the depreciated state of our present currency, the agency, during the greater part of the quarter, has been completely overrun with destitute Zuñe and Moqui Indians; the failure of their crops for the past two years has reduced them to a state of beggary.

Although the Moquis do not now properly appertain to this superintendency, yet they seem to know no other rallying point in time of distress than our settlements. This is owing to their mutual relations and extensive acquaintance with our Pueblo Indians, and the fact that they consider themselves as belonging to this country. I have endeavored by every possible means to explain to them that they no longer appertain to this superintendency, but to that of Arizona, to which they must go hereafter to transact all their business and make their wants known. They cannot comprehend the reason of this transfer, and think strange that we should try to put them off.

The corn and implements turned over by you for distribution to these people have all been issued, and I can assure you that it was a great blessing to them; there never was a more timely and charitable issue made, and had it not been for your assistance I should have been entirely at a loss to know how to act with them.

The very fact that most of them, men, women, and children, have come on foot a distance of at least three hundred miles, through deep snow, during one of the most severe winters for many years, for the purpose of procuring something to eat, and what little they can pack to their homes, is of itself sufficient evidence of their deplorable condition, and fully warrants the charity which has been extended to them.

In connexion with the foregoing, it may not be out of place to state, for your information, that one of my first official acts, after receiving the appointment of Indian agent in 1861, was to make a trip to the Moqui pueblos, (villages,) at which time I visited every one of the seven pueblos. I found them very poor and badly in need of assistance; they had scarcely any implements worthy of the name; they had no hoes, no spades, that I could see; the corn, which is usually their main crop, they planted by the aid of sticks, by digging holes in the ground, into which they dropped the seed. They principally depend on the rain for their crops, having no permanent running water in their vicinity; thus they are, comparatively speaking, at the mercy of the seasons. A short time previous to my visit to them they had been attacked and robbed by the hostile Navajoes; and to make their condition worse, the independent campaigns from this Territory against the Navajoes had also gone to their village and taken from them even the very corn they had in store for their subsistence. This was done, as I afterwards learned, under the plea that the Moquis were in league with the Navajoes against us. All these facts, as well as their true condition, I reported on my return, to the then superintendent, and did all in my power to impress upon him the necessity of relieving their wants; but, strange to say, my honest appeal in their behalf had no effect whatever, and nothing was done towards it. The only succor worthy of notice which these people have received from this superintendency, so far as I am aware, is that which has been extended to them during this winter. I can safely say that there never was a tribe of Indians so completely neglected and so little cared for as these same Moqui Indians; indeed, for some time they seem to have belonged nowhere. For several years previous to the creation of Arizona Territory they were not mentioned in the annual reports of my predecessor.

From personal observation and the best of my judgment, the aggregate population of these Indians does not exceed three thousand souls. Their location and circumstances make them an easy prey for their more formidable and warlike foes, Navajoes and southern Apaches, by which they are surrounded. As these Indians no longer appertain to this superintendency, I would respectfully suggest (through you to the department) that the Arizona superintendency be instructed to take the entire charge of the same, and to extend to them the relief and protection to which they may be entitled, and thereby free this superintendency from a burden for which no allowance whatever is made. The responsibility, care, and expense should be attached wherever they properly belong.

Very respectfully, your obedient servant,

JOHN WARD, *Indian Agent.*

Dr. M. STECK, *Sup't of Indian Affairs, Santa Fé, N. M.*

No. 42½.

CIMARRON AGENCY,
New Mexico, September 30, 1865.

SIR: With sincere satisfaction I have the honor to inform you that during the time the Mescalero Apaches were under my control, at the Bosque Redondo reservation, they conducted themselves in a very satisfactory manner towards the government, as also with the agent and the military authorities, not having violated any of the rules established for their management.

The Mescalero Apaches are daily progressing in the advancement of their condition; they are intelligent and active in laboring, and enjoy a quiet living, forgetting, with their new way of living, all of their past events.

In March last I was informed by the officer in command at Fort Sumner that, under superior orders, my services as agent were not any more needed at the reservation, as all control over the Indians was transferred to the military department of New Mexico, which order, in my opinion, was given by the military in consequence of my solemn protest made against the unwholesome food furnished by the military department to the Navajo Indians, *who were frequently fed on meat from cattle that died of disease, and meat of horses and mules.* In compliance with said order, and according to instructions from Superintendent M. Steck, I established my agency on the frontier of the reservation at Agua Negra, where I remained, being frequently visited by the Mescaleroes and Navajoes, who often came to receive my advice.

My departure from the reservation caused great excitement and sorrow among both the Navajoes and Apaches, both tribes having placed in me from the beginning the love, confidence, and respect that an agent seldom obtains among the Indians, who are now advancing from barbarism into civilization.

Thus I remained for some time, when, about the latter part of June, 1865, I received instructions from the actual superintendent, Mr. Felipe Delgado, to take charge of the Cimarron agency, in the place of Mr. Levi J. Keithly, removed, and at the same time I was instructed to advise the Jicarilla Apaches to go to the reservation to the Bosque Redondo, and the Utah Mohuaches to return to their agency at Conejos, according to the instructions of our Indian department.

Immediately I started for the agency, and on my arrival there, after having met all the Indian chiefs and the principal men of both tribes, I came before them, showing the object I was sent for to that agency. My presence afforded much pleasure to both tribes. They all expressed a remembrance of me when I was their agent, and that I was entitled to their confidence. After a long conversation with them, I showed them my instructions, ordering the Jicarilla Apaches to go voluntarily to the Bosque Redondo res.

ervation, and the Mohuache Utahs to return to their agency at Conejos, informing the latter that the Indian department in Washington ordered that no presents should be distributed among them until they comply with the aforesaid instructions. Both tribes were very much surprised at this order, and they remained exceedingly sad and sorrowful, and heartily requested me to intercede with the government about this matter, the former giving as an excuse that the "Great Spirit created them in the country they inhabit ; that from the day they saw the first light they had remained there ; that the remains of their parents were buried there ; and that its climate and healthy waters helped them to make a pleasant living." They, moreover, claimed that the government in the last treaty of peace had established them in that agency, and that they were very much pleased to live there forever.

The answer of the Mohuaches was in the same manner, giving by way of excuse that they could not by any cause make their separation from this agency ; that this has been the country occupied by their tribe ever since their first origin, and, furthermore, that the matrimonial ties that united them with the Jicarilla Apaches compelled them to live united forever ; that both tribes recognized each other as one family and one blood, and that the Great Spirit only could separate them.

After this conversation I charged them with the robberies they have been accused of having committed in Colorado Territory, to which the Utah Mohuaches answered with sorrow, that "necessity compelled them to take some eight head of cattle to supply their families with food, and that for a part of it they have given full satisfaction to the owners, and that they did this after calling at the agency and not finding anything to supply their wants." These robberies were committed about the beginning of June, 1865, at which time the Indians were in great need.

The Jicarilla tribe in New Mexico is one of the most advanced in civilization of the wild tribes, as most of them have grown up among our settlements. Many of them understand the Spanish language enough to be well understood. They are divided in twelve bands, commanded by twelve chiefs, who manage and control them according to their customs, and in all cases consult each other about the mode in which they are to be governed. They are a tribe that for many years have been at peace, and besides this, they take great interest in agriculture, and it is my opinion that if the government should establish them in a good reservation in their country, they would be able to raise good crops, and with the establishment of schools they could learn to obtain their living honestly.

The portion which they now claim as their country is a grant belonging to L. Maxwell, esq., which is now rented by the government to hold the Indians there.

The plan adopted by our government of placing the Indians on reservations is one of the most desirable for their advancement and civilization, and before this is carried into effect difficulties will always exist, either on the part of the Indians or the white men. It does not prove well to have the Indians as neighbors of the white men, or these as neighbors of the Indians. I recommend this to your most serious consideration.

The number of Jicarilla Apaches are as follows, to wit :

Males over the age of 18 years.....	395
Females over the age of 18 years.....	375
Boys under the age of 18 years.....	105
Girls under the age of 18 years.....	112
Total.....	987

In reference to the Mohuache Utahs, this is a tribe that for many years has been friendly to the government, and have always behaved as good friends, and in many cases, when other tribes in this country have been hostile to the government, they have been the first who have presented themselves to defend the government, and they bear the name of good warriors. Their food is chiefly game, and the rations they get occasionally from the government. They have no affection for agriculture, and are ashamed to work to gain their living. They say that the Great Spirit created them for hunting and fighting, and no more. For my part, I am opposed to their belief, and respectfully recommend to you that measures be taken by the department to compel them to work, and to teach them to obtain their living in such a way that will enable them in future to enjoy a better condition. The game in the country where they live is very much diminished, and daily disappears, for the reason that the country where they have lived is now settled by white men, and finding themselves without hunting resources to live. When they are not able to find any kind of game to hunt they will probably hunt the cows, oxen, and sheep belonging to the citizens who live neighbors to them, and before we come to such an event it is necessary to take such measures as the department may deem fit.

The number of this tribe is as follows, to wit :

Males over the age of 18 years.....	231
Females over the age of 18 years.....	240
Boys under the age of 18 years.....	66
Girls under the age of 18 years.....	71
Total	608

In entering upon the duties of this agency, I found the house of the government for the use of the agent and business pertaining to the Indians completely ruined, for the reason that the contractors for building it up selected the bottom of the Rio del Ponil, and, unfortunately, selected a place in a hollow, where the rains overflow it, and it is in danger of falling down, and tramping the persons living in it. Mr. Keithly has dug out ditches to prevent the water-courses that frequently run down on that river, but it has proved useless; the house at present is falling down; therefore an appropriation is necessary to build up a new one in a more suitable place. The lumber of the house is kept yet in servicable condition to be used in a new house.

The lands upon the Rio del Ponil appear to be very fertile, and I doubt not that they will produce good crops; it is covered with timber, and good agricultural utensils are necessary to break them up. It is my intention, with the aid of the department, to commence the next spring the great work of teaching the Indians to labor for their support, and on this subject I cordially indorse what Agent W. F. M. Army has said in his report of 1862, as follows :

After the experience of another year, I am strengthened in the opinion that treaties should be made with all the Indian tribes of New Mexico and Colorado, requiring each tribe to cultivate peaceful relations with all other Indians, and binding them to cease hostilities with all tribes who are at peace with the government of the United States; that treaties should be made with the Indians of New Mexico, to obtain from them the relinquishment of the right they claim to roam where they please in this Territory; that, in consideration of the relinquishment of this claimed right, they should receive a certain specified tract of land as their reservation, the boundaries of which should be fully defined, and the Indians be required to remain on it; the American and Mexican citizens excluded therefrom, except when permitted by the agent.

The treaty should give the Indians a reasonable compensation for the relinquishment of this claimed right, in annual payments for a term of years, not payable in money, but in articles of clothing, provisions and farming implements, as would be necessary for their comfort, and would enable them to cultivate the soil. A carpenter, farmer and blacksmith should be employed to assist them in the erection of houses, cultivation of the soil, and the repair of the farming implements. An industrial school should be established on each reservation, and in the treaty it should be specified that all children between eight and sixteen years of age should be placed in charge of the agent to educate them; the government agreeing that during that period the children should be clothed and fed, and the Indians to agree that, during that time, the children should labor at least three hours per day, under the direction of the agent.

The Indians in New Mexico are at this time as much uncivilized as when the government first took them in charge, and it is my opinion that they will remain in the same state until they settle on reservations, and are compelled to cultivate the soil for their maintenance, and allow their children to be educated mentally, morally and physically. This alone I think will save them, and place this country in a condition for the development of its pastoral, agricultural and mineral resources, and save the citizens from the constant depredations of the Indians. Without this I am convinced that they will continue to sink deeper into degradation, so long as a generous government, or their practices of begging and stealing, will afford them a means of subsistence. The country now occupied by the Jicarilla Apaches and the Mohuache Utahs, as I said before, is a grant belonging to Mr. Maxwell, but possesses everything necessary for living, and if the government, either by agreement or contract, should select this place for a reservation for these Indians, they would be in a few years happy, and would highly appreciate it.

Up to the present time both tribes, Jicarilla and Mohuache Utahs, own as their property some horses and mules, which value is stated in the enclosed statistical report. Their whole interest at present is to have good horses and good arms.

In conclusion, I have the honor to recommend to the department in Washington that prompt measures be taken to establish at once these Indians on a reservation.

I am, very respectfully, your obedient servant,

LORENZO LABADI,
United States Indian Agent.

FELIPE DELGADO, Esq.,
Superintendent of Indian Affairs, New Mexico.

COLORADO SUPERINTENDENCY.

No. 43.

EXECUTIVE DEPARTMENT, COLORADO TERRITORY,
Denver, May 1, 1865.

I have the honor to report that on the — ultimo I received information of the arrival on the Little Chug, about one hundred and twenty miles from this place, of a band of Arapahoe Indians from the north, numbering about one hundred and twenty lodges, with their chief medicine man, or Roman Nose.

Immediately upon the receipt of the notice of the presence of this band of Indians in the locality above designated, I instructed Agent Whitely to visit them, and if possible have a conference with them to ascertain their relation to the war with the whites and their disposition in regard to the future.

He left for Camp Collins, on the Cache à Poudre river, where he will be furnished an escort by order of the commander of the military district. I learn that the captain commanding Camp Collins was also ordered to accompany Agent Whitely to aid in ascertaining the friendly disposition and actual relation of said Indians to the war that has been waged by the Indians with whom they have heretofore been associated.

This band of Arapahoes has heretofore been under the care of the agent at Fort Laramie, and they have desired a reservation and settlement somewhere in the neighborhood of their present camp, instead of going to the Arkansas. In case Agent Whitely and the captain accompanying him should find and report them as having been friendly and now disposed to make a treaty for settlement on the Little Chug, I desire instructions as to the course to be adopted. Your letter of authority to make a treaty with them, dated January 15, 1864, might be sufficient authority, but as there has been much change in circumstances since it was written, I desire either its confirmation or new instructions on the premises. I am of the opinion that this band might be satisfactorily settled on the Little Chug, and have directed Agent Whitely to examine that country and report its adaptation for such a settlement of the Indians on a reservation,

Very respectfully, your obedient servant,

JNO. EVANS,

Governor and Ex-officio Sup't of Indian Affairs.

Hon. W. P. DOLE,

Commissioner of Indian Affairs, Washington, D. C.

No. 44.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, May 22, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of 1st instant, communicating the fact that a considerable band of Arapahoes had arrived on the Little Chug river, north of Cache à Poudre, and that you had sent Agent Whitely to meet them, and wishing instructions as to a treaty with them.

In order that there may be harmony in the various movements on foot for bringing about peace with these Indians, I herewith transmit a copy of instructions given to Vital Jarrot, esq., who has been appointed agent for the Upper Platte Indians. You will observe that one point in these instructions, relative to the future location of the Indians at a point distant from any of the great routes of travel, would essentially conflict with the idea of allowing the band to which you refer to be located near the present camp.

A copy of your communication has this day been sent to Superintendent Albin, to be given to Mr. Jarrot, if he has not yet left for the plains, or sent to him if he shall have gone forward; and Mr. Jarrot is directed to place himself in communication with you as soon as practicable. The instructions to him, enclosed, are distinct as to the policy decided upon by the department in regard to any treaty to be made with the Indians.

Very respectfully, your obedient servant,

W. P. DOLE,

Commissioner of Indian Affairs.

Hon. JOHN EVANS,

Governor of Colorado, Denver City, C. T.

No. 45.

CONEJOS, COLORADO TERRITORY, *August 10, 1865.*

SIR: In accordance with the rules and regulations of the Indian department, I have the honor herewith to submit the following as my annual report of the condition of the Conejos agency:

During the past year, when all the prairie Indians have been at war and bidding open defiance to our troops and to our citizens, the Utah Indians have remained at peace with our people.

The past winter the Tabeguache Utah Indians convened at or near Colorado City, in this Territory, and there forcibly took from the citizens ten sacks of flour to relieve their pressing wants and necessities, as they were then in a starving condition, owing to the unprecedented hard winter and the heavy fall of snow which accompanied it, thereby preventing them from visiting their usual hunting grounds. Upon learning of the difficulty, I immediately repaired to said place, and there found the Indians all quiet, but destitute and suffering, and to relieve their wants I issued to them ninety-three sacks of flour, but upon condition of their good behavior and their leaving the settlements forthwith. With this arrangement they were well pleased, and from that time to the present no outrage has been traced to this tribe, although they have been grossly neglected by the government, entering, as they did, into a treaty and relinquishing thereby a large portion of their most valuable lands, when they were to receive annuities, &c.; but not one dollar on the said promised annuities has yet been paid to them, although two years have since expired. Notwithstanding all this, their faith is not shaken in the least towards the government; yet to a poor people, when from day to day game is becoming more scarce, it is becoming very trying and annoying to them. Should trouble arise in the mean time, this continued delay of their goods will be the chief consequence. I would therefore again urge upon the government their prompt payment, and try and avoid these long delays in future.

They express a unanimous wish to remove to their own reservation the coming spring, in accordance with their late treaty with the United States. This matter on the part of the government should be attended to at once, as this would prevent their coming in frequent contact with our citizens, which should at all times be scrupulously avoided when practicable. The reservation once established, and the Indians placed thereon under the charge of an agent, with United States troops in the immediate vicinity, they might then be taught the arts of husbandry, and eventually become an industrious and happy people, which cannot well be accomplished under the present system, when allowed to run at large in small parties over our entire chain of mountains. During the month of March last a party of this kind, consisting of three Utah Indians, were killed by a party of Mexicans near the Mosco Pass, in this valley. The matter underwent a legal investigation at Fort Garland, before a United States commissioner, and it was proven that the Indians in this case were the aggressors, but as the entire party of the Utahs present were killed, it has created a bad feeling on the part of the Indians towards the Mexicans generally. And in view of reconciliation, Superintendens Evans has issued presents to the parents of the deceased, and the hope it entertained that this difficulty is now at an end, and that the Indians will not follow their usual course of revenge in the matter.

I have the honor to remain, very respectfully, your obedient servant,
LAFAYETTE HEAD, *Indian Agent.*

JOHN EVANS,

Governor and Ex-officio Sup't of Indian Affairs, C. T.

No. 46.

MIDDLE PARK AGENCY, *Denver, September 2, 1865.*

SIR: In complying with the requirement of the department, to make a statement of the operations of this agency for the past year, I must necessarily be brief, as I have but very recently taken charge of its affairs.

At the time of making the last annual report my predecessor had charge of a small party of friendly Apache Indians near Fort Collins, who were supported during the fall, winter, and spring at considerable expense by the government. When grass came they became impatient of necessary restraint, and all but their chief, "Faithful Friday," took advantage of the liberty allowed them by the military authority to go on a short hunting excursion, and joined our enemies in stealing stock and murdering the poor emigrants seeking new homes. Agent Whitely has fully advised you in special reports, and I need not repeat the sad story. They had thus relieved the Indian bureau of their care, support, and protection before I entered upon the duties of this agency, Friday himself entering into the employ of the military authorities.

I am gratified to state that in my numerous interviews with the Grand River and Uintah bands of Utes, I have found them entertaining sentiments of friendship for the whites which are unmistakable. They have evidently been taught to entertain a high respect for the government of the United States, and they appreciate the benefits accruing to them from the establishment of this agency.

The necessity of establishing them upon a reservation impresses itself upon my mind every day. There is a disposition among many of them to spend much time and make too frequent visits to our towns and settlements, the demoralizing influences of which are patent. I am powerless to prevent this at present, but hope to succeed in getting them away from the border as soon as the annuities long looked for shall arrive from Washington, and the prospect of a speedy completion of the new wagon road hence to Salt Lake gives hope of making practicable their permanent location upon a reservation.

I am happy to state that not a single act of hostility or outrage on their part has been complained of to me, nor have I heard of any such. The situation, therefore, is most satisfactory.

Under instructions from Governor Evans, superintendent of Indian affairs, I have recently made a visit extending through the vast country traversed and claimed by them. Of this expedition I have to-day made a detailed report to him, a copy of which I understand will be forwarded to your office, and to which I desire to call your attention.

I have the honor to be, very respectfully, your obedient servant,

DANIEL C. OAKES,

Indian Agent to the Grand River and Uintah bands of Utes.

Hon. D. N. COOLEY,

Commissioner Indian Affairs, Washington, D. C.

No. 47.

COLORADO SUPERINTENDENCY,

Denver, C. T., July 29, 1865.

SIR: I have the honor of transmitting copy of report of Lafayette Head, United States Indian agent, in reference to the Indian captives in Conejos and Costilla counties, in this Territory, which I believe comprises all the persons held as such within this superintendency.

I would respectfully suggest that a commission be appointed with authority to make such arrangements as equity and justice may indicate for the employment of such of said captives as do not desire to return to their tribes, and the transportation of such as do to their respective places of destination. Being free, it would seem hard to force those who do not desire to go to return to their people.

I have the honor to be, very respectfully, your obedient servant,

JOHN EVANS,

Governor and Ex-officio Sup't Indian Affairs.

Hon. D. N. COOLEY,

Commissioner of Indian Affairs, Washington, D. C.

No. 47 A.

CONEJOS AGENCY, C. T., July 17, 1865.

SIR: In reply to your favor of the 28th ultimo, enclosing copies of an order from the President of the United States, with accompanying instructions from the honorable Secretary of the Interior and the honorable Commissioner of Indian Affairs, I beg leave to submit the following, viz:

The ensuing day after the reception of your communication, in company with E. R. Harris, United States deputy marshal, I called upon all those persons that hold Indian captives in Costilla and Conejos counties, and interrogated the Indians themselves, and their reply to my inquiries you will please find in the accompanying list, which embraces, within my knowledge, every Indian captive within these two counties, and to the credit of the citizens here I would add that they all manifested a prompt willingness on their part to give up said captives whenever called upon to do so, and in view of these facts I would most respectfully recommend that all the Navajo captives here be returned to their people on their reservation in New Mexico. As to the few Ute Indians that are residing in private families here, it is generally understood that they are there with the consent of their parents or friends, and enjoy the full privilege of returning to their people whenever they have an inclination or disposition to do so. Very many of these Ute children are orphans, and therefore homeless, and perhaps under these circumstances their condition would not be much benefited by your order; yet, if your order is imperative, and you instruct me to have them all removed, I will promptly do so.

I have notified all the people here that in future no more captives are to be purchased or sold, as I shall immediately arrest both parties caught in the transaction. This step, I think, will at once put an end to the most barbarous and inhuman practice which has been in existence with the Mexicans for generations.

There are captives here who know not their own parents, nor can they speak their mother tongue, and who recognize no one but those who rescued them from their merciless captors. What are we to do with these? I would here add that I have incorporated in the accompanying lists the larger number of those captives that have legally married in the two counties.

I shall wait for further orders from you in regard to their removal. Please also instruct me what course I shall pursue in the premises in regard to those that are now willing to return to their people.

All of which is most respectfully submitted.

I have the honor to remain, very respectfully, your obedient servant,

LAFAYETTE HEAD, *United States Indian Agent.*

Hon. JOHN EVANS,

Governor and Ex-officio Sup't Indian Affairs, Denver City.

No. 48.

COLORADO SUPERINTENDENCY,
Denver, July 9, 1865.

SIR: I have just received additional information that "Colorado," the chief of the Tabeguache Utah Indians, is collecting his council of war to determine upon measures of revenge upon the Mexicans, to meet on the Arkansas river, near Cache creek, in the mountains.

I have already instructed Agent Head, as you are informed, to meet the Indians and pacify them; but the matter is so important that I leave in the morning to meet them in person, fearing that the agent may not be able to meet them in time.

The restlessness of the Indians is greatly increased by the delay in obtaining their annuities under the treaty of Conejos. As these have been the best of our wild Indians, and are allied with the most extensive bands through the mountains, including those under Major Oakes's care, a rupture with them would be fraught with the most serious consequences. No effort on my part shall be wanting to satisfy and keep them at peace.

Upon my return I will immediately inform you of the result of my efforts. I cannot close without calling your attention to the importance of the remittance asked for in my letter of the 6th instant, and the authority to purchase provisions therewith. Please telegraph me the result of said application upon the receipt of this, as it may be important to know at once.

I am, very respectfully, your obedient servant,

JNO. EVANS,
*Gov. and Ex-officio Sup't Indian Affairs.*Hon. W. P. DOLE,
Com'r Indian Affairs, Washington, D. C.

No. 49.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
St. Joseph, Mo., June 30, 1865.

SIR: I have the honor to report that on the 28th of May last I forwarded to Nebraska city all the Indian goods for Utah, Denver, Upper Platte and Upper Arkansas agency, retaining here, as per instructions, goods for the Comanches, Kiowas, and Apaches, and New Mexico tribes, and sent with them a special agent, who took Mr. McLellan's bills of lading in the usual form, viz: six bills lading for each tribe, and turned over to him all the receipts, invoices, packing lists, and other papers connected with the shipment. This business was transacted on the 4th of June, before your instructions of the 31st ultimo reached this office, and while I was absent at the Pawnee agency on official business, per your orders. Immediately on my return I despatched a messenger to Nebraska city to complete Mr. McLellan's contract and to load the wagons, "taking distinct bills of lading for each wagon, with marks and numbers, so that in case of loss the goods could be identified with certainty," as per your instructions of the 31st ultimo. I regret to state that the goods had been loaded and forwarded to their destination some days before the messenger reached Nebraska city.

This service appearing to me to be important and imperative, and there being a heavy pressure of business upon the office at the time, so that the regular clerk could not be spared, I took the liberty of sending Mr. Enos

Craig, late sheriff of this (Buchanan) county, a faithful and reliable person, to perform the required service, and trust my action in the premises may meet your approval.

Very respectfully, your obedient servant,

W. M. ALBIN,
Superintendent Indian Affairs.

Hon. W. P. DOLE,
Com'r Indian Affairs, Washington, D. C.

No. 50.

COLORADO SUPERINTENDENCY INDIAN AFFAIRS,
Denver, October 7, 1865.

SIR: I have the honor to report that the distribution of annuity goods to the Tabeguache Utah Indians took place September 28 ultimo, at the salt-works, as per previous arrangement, only eight days after the appointed time. The goods were hurried forward by the quartermaster of this post immediately after their arrival here.

The Indians of this band, previously reported to have insisted upon receiving their goods with Major Oakes's Indians, were not there, but the other members of the tribe excused them fully on the ground that they were on the war-path, after the Arapahoes and Cheyennes, who had killed a party of their braves in the North Park, which was the real cause of their refusal to go to the distribution at the salt-works, and they had been encouraged by the military authorities to hope for assistance in making an expedition against them.

The difficulty between the Utes and Mexicans, of the San Louis Park, of which you are already advised, made it important to have the distribution at the point mentioned instead of at the agency, which is in the midst of the settlements referred to.

In consultation with Agent Head, this point was selected and agreed to by the principal chiefs, and the result proves the wisdom of the plan.

All difficulties hereafter existing were amicably and satisfactorily adjusted at the council, and the chiefs assured me that there was no cause of apprehension from the absent bands, as they would arrange matters with them, and get them to go with them to the country reserved to them in the treaty of Conejos, 1863-'64.

The Tabeguache bands that had associated with the Grand river and Uintah Indians, previously reported, and who could not go to the Tabeguache distribution at the salt-works, preferring to join the Grand river and Uintah bands in receiving their presents at Empire City rather than give up their war expedition against the Arapahoes, came in as agreed previously and received a part of the presents there distributed. As this was a mutual request of the bands themselves, and as I had been under the necessity of taking the goods for the Grand river and Uintah bands for a common distribution to the two tribes last year, because no goods had been sent for the Tabeguache tribe, it seemed unreasonable that the arrangement should not be acceded to.

The bands received their presents together at Empire on the 26th ultimo, which were distributed by Agent Oakes. As but a small part of the Indians were present at the time appointed, I held a council with the principal chief and his headmen of the Grand river and Uintah bands, in which they agreed to protect the new route of the overland stage line,

which is being opened through their country by direction of Ben. Holliday, esq., contractor for carrying the mail. They also agreed to use their utmost exertions to preserve the friendly relations between all the bands of the Utah Indians and the whites. After this council, I left a copy of it with Agent Oakes, to be repeated by the interpreter when the whole band arrived, which I learn was done, and the entire party left for their country beyond the range, in the best of spirits and good feeling towards the whites and the government, the Tabeguaches agreeing to join their own band again on their reservation.

When the goods arrived by express from Nebraska City I was greatly disappointed to find among them none at all for the Grand River and Uintah Indians of the Major Oakes agency, but a large lot for the Arapahoes and Cheyennes, yet at war, were received. In the emergency I turned a lot of the latter goods over to Agent Oakes, which were distributed, as his report will show, to the great satisfaction of the Indians, who immediately left for their country west of the range.

No invoices having been received at the time, of any of these goods, I had them carefully invoiced as unpacked. The bills of lading and invoices have just now arrived, postmarked September 23, Nebraska City; I suppose, having been forwarded at this late date by some party in whose possession they had been left, but there is no clue to the party contained in the papers.

I trust the course I have pursued in this matter, under the assurance of the department that what I found necessary to do to preserve friendly relations with these Indians, dated 25th July last will be approved.

I have my annual report prepared, which shall be forwarded as soon as revised and copied—I hope in time to comply with the regulations of the department.

I am, very respectfully, your obedient servant,

JOHN EVANS,

Governor C. T. and Ex-officio Supt. Indian Affairs.

Hon. D. N. COOLEY,

Commissioner of Indian Affairs, Washington, D. C.

DAKOTA SUPERINTENDENCY.

No. 50½.

FORT SULLY, DAKOTA TERRITORY,

October 14, 1865.

SIR: Matters of a public nature have so fully occupied my time for the past two months that I have not been able to find time to prepare my annual report in accordance with the requirements of your office, and I am not now sufficiently at leisure to be able to go so fully into Indian matters as I would like, or as would seem to be required of me, in order that you might be fully advised of the condition and requirements of the service in this superintendency for the coming year; and at this time I feel compelled to rely more upon the information you will obtain from the report which will be submitted to Congress by the Hon. A. W. Hubbard, who has recently made a very thorough, rigid, and general investigation into the management of Indian matters in this Territory, than upon anything I can at this time communicate. The subject of paramount importance to the government, on many accounts, especially in a pecuniary point of view, viz., the temper and disposition of the Indians in regard to peace or war, I regard as virtually settled, so far as they at least are concerned, on the side of peace. That a large majority of

all the Indians of this Territory earnestly desire peace there is no doubt, and that they are ready and anxious to treat with the commissioners sent out by the government for this purpose is conceded by all who are acquainted with the Indians in this country; and this view of the case is verified by every Indian with whom I have conversed since my arrival here. The only question now is, when and where the commissioners and Indians can be brought together. The fact must not be lost sight of, in connexion with this subject, that a large majority of the Indians of this Territory are what may properly be termed wild Indians—purely nomadic in their habits—scattered over such an immense area of country as to require months of constant travel to pass through it, even in one direction.

Owing to the lateness of the season and the widely scattered position of the Indians it will not be possible for the commission to meet more than a small majority of the Indians with whom they are expected to treat this fall, as I have already advised you; and, though it is a matter of regret that this is the case on the part of the commission, it appears to me there is no remedy for the evil. It is nearly or quite one thousand miles from where I am now writing to several large tribes of Indians, numbering twelve or fifteen thousand, who are anxious to treat with the commissioners sent out for this purpose, who now have no treaty with the government, or rather will not have after the expiration of the Fort Laramie treaty. I see no remedy for this matter but for the commission to adjourn with the important work but half commenced, to be called together next spring, when it can easily be fully completed, or when a new commission may be sent out to complete the work so auspiciously commenced by them, which only needs time fully to be completed to the satisfaction of the country and the Indians and gratification of the individual members of the commission. The commission fully appreciate the importance of early completing the work upon which they are engaged, but they cannot be expected to accomplish impossibilities.

The report of their proceedings thus far, when submitted for your inspection, will show you that they are pushing forward the work with commendable vigor, and working early and late in the discharge of their duties. On the 10th instant a treaty was signed between the commissioners, on the part of the United States, and the Minnecongass tribe of Indians, numbering (as stated by their chiefs) 370 lodges, equal to about 2,500 souls. This band was represented in council by eight of their principal chiefs, including One Hour, their head chief, and twenty-three of their head soldiers. They claimed that they were the representatives of ten other bands of the Sioux nation, nearly all of whom have been engaged in hostilities. It was claimed by the chiefs and headmen of the Minnecongass in this council that all these other bands had, just prior to this party leaving the hostile camp, expressed an earnest desire to treat with the government with a view to peace; and they also claimed that these bands would willingly enter into a similar treaty, but would not come in until the result of the visit of the Minnecongass was known in the hostile camps. This is a very important matter, if true, as it will include nearly all of the Indians heretofore hostile, thus reducing their numbers so much as to make it certain that the balance will not only lay down their arms, but sue for peace, with the single exception of the hostile Santees or Sioux of the Mississippi, who will in that case have to seek an asylum in British America or become exterminated.

Regarding this matter of a treaty with the Minnecongass in this light—and it is generally thought this construction may properly be applied to it—it may safely be considered as settling our Indian difficulties on the side of peace, and it only remains for the commissioners and the Indians to have an opportunity of meeting and entering into stipulations to end this vexed question.

I am clearly of the opinion that there will be no need of the display of an increased military force in this country next spring; neither should the force now in the country, which is very small, be reduced, at any rate until peace is fully re-established with all the hitherto hostile Indians of the country. The practice which very generally prevails of making frequent changes of commanders at the various military posts in this Territory ought at once to be discontinued, as it frequently embarrasses and complicates Indian matters. There is hardly an officer but what has notions peculiar to himself in the management of Indians, and the frequent changes heretofore made at the various military posts here have not had the effect to better our condition. I can but regard it, however, as a favorable omen in relation to the change of commanders which has recently taken place at Fort Rice—Lieutenant Colonel John Patten, called by the Indians "Big Heart," in place of Colonel Dimon, who has by his unfortunate management seriously complicated matters in the vicinity of that post. When an officer has been in the Indian country a sufficient length of time to have made the acquaintance of the Indians, and when he has established a reputation of dealing justly and fairly by them, it seems to me that sound policy would retain such officer as long as possible at the post where he had established such a reputation. Taking this view of the subject, I can but think it better policy to station regular troops, rather than volunteers, in the Indian country.

In view of the probable early settlement of our Indian difficulties in this superintendency, without knowing, until such matters are finally disposed of, what will be the state of the Indians generally, I am not prepared at this time to recommend a policy in reference to them. I therefore prefer to leave this question until such time as the commissioners shall have clearly defined and established the status of the Indians. When this is once done, I hope to see such policy adopted as will be satisfactory to the government, just to the Indians, and calculated to advance them in civilization, and cement and strengthen the ties of fraternal feeling between the two races.

In submitting an estimate for defraying the current expenses of this superintendency, including the necessary expense of transporting the goods and property necessary to fulfil the treaty obligations of the government with the various Indian tribes in this Territory, I beg leave to state that I can only approximate on the matter of transportation, not having any data in my office upon which to base such estimate.

For the present year the appropriation for this purpose is twenty thousand dollars; I have no means of knowing whether this is sufficient or not, as the bills have all heretofore been settled at your office. If, however, this sum has been exhausted the present year, it will, I think, require an increased amount for the coming year, for the reason that, doubtless, several new tribes will ere the close of 1866 be settled upon reservations.

In relation to my travelling and office expenses, they will doubtless be about the same as the present year, with the exception of perhaps a slight increase in my travelling expenses. It seems to me that, owing to the great extent of country over which I am expected to travel in attending to the duties of this superintendency, and the fact that there are no lines of public conveyance through the Indian country, I ought to be allowed to purchase a horse-team and light ambulance for the use of this office. I often find great difficulty in securing a private conveyance to go into the Indian country. I have not heretofore estimated for this expenditure, preferring to submit to serious inconvenience rather than ask for such purchase during the prosecution of the war with the rebels. My estimate, therefore, is as follows:

Incidental expenses of this superintendency, transportation of goods, &c.	\$20,000 00
Salary of one clerk.....	1,000 00
Salary of one interpreter.....	400 00
Stationery, postage, &c.....	100 00
Purchase of one span of horses, harness and ambulance.....	800 00
Travelling expenses.....	500 00
Total	<u>22,800 00</u>

YANCTON SIOUX.

The commissioners held their first formal meeting in the council-room of the Yancton Sioux Indians at this place; it was thought best to detain the boat a sufficient length of time for the commissioners to see and converse, not only with these upper Indians, but also with the Yanctons, who were found in a very destitute condition, so far as subsistence was concerned; so much so, indeed, that the commission, I think, very wisely determined to aid them so as to enable them to get out on their fall hunt. They therefore loaned to the Yanctons 200 sacks of treaty flour, 15 boxes of hard bread, and about one-half a ton of bacon, and presented them, as the record of their proceedings of the 28th ultimo will show, 100 sacks of flour.

This tribe are, indeed, in very straitened circumstances, and I see no way by which they are to be got through the coming winter without extending to them considerable pecuniary aid. There is now no other remedy, as the season for raising crops was allowed to slip away without any adequate preparation having been made for their subsistence in the way of preparation for crops, of which fact you have been fully advised heretofore. The whole amount of the half-breed fund proper, which was transmitted to me some time since, has been retained in my hands for specific instructions from your office, under that article of the treaty with them which seems to place this fund under the control of the chiefs, subject to the approval of the Hon. Secretary of the Interior. It occurred to me that, owing to the destitute condition of the tribe, this fund could and ought properly to be diverted, for the present year at least, and used for the common benefit of the tribe, and this I found to be the wishes of the chiefs as expressed to me in council. In connexion with this subject, the chiefs expressed to Dr. H. W. Reed, as I am informed, a desire permanently to stop a portion of this fund, for the reason that it has for several years been grossly misapplied, and they have, I believe, furnished the doctor with a list of the persons who are to be affected by this action. Such list has not yet been furnished to the undersigned.

The uniform good conduct of this tribe towards our people has for the past year been proverbial, indeed. I do not know of one single complaint that has been made against them. In view of all these facts, I can but feel that it is but just and proper that material aid should be extended to them, in view of their pressing necessities, to keep them from suffering, if not from actual starvation.

This tribe have a legitimate, well-founded, and just claim against the government for the services of fifty of their young men, who for several months, acted as scouts on our exposed frontier last year, furnishing their own horses, and only getting subsistence for themselves for the time they were in service. They rendered valuable and efficient service, and actually afforded our frontier more efficient and ample protection than has been obtained from the regularly enlisted soldiers, who have at various times been stationed upon our frontier. They pressed this matter upon the attention of the commission, who, after being placed in possession of all the facts, unanimously agreed

that they should be remunerated for their services, by being paid for their time. I trust this matter may be placed in such a light before the proper officers of the War Department as to secure the prompt liquidation of this claim.

No steps have as yet been taken to pay over to this tribe the ten thousand dollars appropriated by Congress on the 3d of March last for indemnity for spoliation committed by the soldiers upon them two years ago. This matter ought promptly to be arranged, in order that it may become at once available to them the coming winter. The amount, I understand, is now in the hands of their present agent. I am without any positive knowledge on the subject, but have been led to infer that this matter has been from time to time suspended for positive and accurate information in relation to their losses at that time.

I believe it is not denied by the officer in command of the expedition that year that depredations were committed by a portion of his command, and that considerable damage was done by them to these Indians. I think at least six thousand dollars will be required to carry this tribe through the winter, in addition to all the aid they are able to obtain through a division of the half-breed fund and their indemnity for damages, and this sum I regard as only sufficient to keep them from actual suffering.

SIoux OF THE MISSISSIPPI.

I visited this agency on the 30th ultimo and 1st and 2d instant. On the 2d instant a distribution of the balance of the goods sent out for this tribe was made to these Indians by their agent in my presence. The goods distributed have been very wisely kept by their agent to this time, with a view of clothing them as comfortably as possible for the winter—a plan which, I think, would be well for all agents to adopt, as it is no hardship for the Indians to do without a blanket through the summer months.

I found this tribe more contented and in better condition than I had expected. Their crop of corn, though not large, has done them much good in the way of adding to their subsistence, and has also greatly encouraged them to renewed efforts in this direction in the future, and will in this be of vast benefit to them.

I found them, as a general thing, living in most miserable bark tepees, or shanties, totally unprepared and unfitted for winter, and urged strongly upon them the necessity of their promptly exerting themselves, while yet the weather was mild, to prepare better places for their families for the winter; and I am informed that my efforts in this direction have been attended with decidedly good results, as several have built quite comfortable houses since I left there.

I feel confident that it would be good policy to extend to them some pecuniary aid, by way of encouraging them to renewed and increased efforts in this direction; and to this end I directed their agent to furnish them, whenever he could, the use of teams and wagons to get their building material together. I think, however, that a small sum of money set apart for this purpose would aid vastly in early securing the erection of more comfortable abodes for them. I believe one thousand dollars devoted to this purpose would be of as much if not more service than if expended for their subsistence, provided it was judiciously used. Their present abodes are the poorest excuses for houses I ever saw, as a general thing.

Some additional improvement should be made in the way of fencing. I think about one mile of fence would enable the agent to enclose much better ground for crops than that now under cultivation. A small sum ought properly to be used for preparing and breaking such additional ground as ought

to be cultivated, which is likely to secure the best results or return for the labor and seed. Agent Stone will make an estimate, at my request, of the whole cost of these necessary improvements, and if found practicable, I hope he may be permitted to make them in time to be used the coming year.

The chiefs and headmen, in council, expressed very general satisfaction with the present agent and his management. I found the mission school, under the charge of Mr. Williamson, (who was, much to my regret, absent,) in a flourishing condition. These Indians generally take a deep interest in church matters, very generally attend divine service, and participate in religious exercises. They manifest great anxiety to better their social condition, and are, I think, making rapid progress generally in civilization. In this respect they are far in advance of any other Indians in this superintendency.

Their crops this year were better than we had any reason to expect, taking into consideration the hitherto neglected condition of the ground under cultivation, and the fact of total failure for the prior two seasons. I made a thorough investigation into the condition of the agency buildings, and found them in a good state of preservation, showing evidently that they had been well cared for; they were, however, constructed hurriedly, out of green material, and those used for residences and offices now need, in order to make them comfortable, lathing and plastering; and I feel it my duty to recommend that their agent may be permitted to make this improvement. The labor (most of it) may be performed by the regular employes of the agency, so that the cost of the improvement need not very seriously affect the fund applicable to this agency the present year.

PONCAS.

The contented condition of this tribe since their new supplemental treaty with the government, (made last March,) compared with their former depression of spirits, owing to successive failures of crops and from other causes, is remarked by every one who has been acquainted with them for the past few years. They have this year raised a fine crop of corn and vegetables, and when I was at the Yankton agency, on the 28th ultimo, these Indians (the Poncas) were generously supplying their neighbors (the Yanktons) with from fifty to seventy-five bushels of corn per day, out of their abundance. Under their present management, there is every reason to believe that this agency will in a very short time become self-supporting. The Indians themselves have manifested much interest in agricultural pursuits, and should the new supplemental treaty be ratified by the Senate, and they be permitted to make certain changes and improvements recommended by their agent, and the Reverend Doctor Reed, who has made a careful examination of the proposed changes, and cordially (as I am informed by him) approves of the proposed changes, there is every reason to believe that this tribe will rapidly advance in mechanical and agricultural pursuits.

The supplemental treaty alluded to above should by all means be ratified by the Senate at an early day, as by its provisions this tribe are only indemnified or remunerated for losses and depredations committed upon them by United States soldiers and neighboring tribes of Indians, as appears by papers on file in your office. Reverend H. W. Reed strongly recommends the proposed removal of the agency buildings, and in this I most heartily concur.

This tribe have been the firm, reliable, and steadfast friends of the government during all our Indian troubles, notwithstanding the strong provocation they have had to be otherwise. Their prospects for the future are flattering in the extreme, and I trust every inducement may be held out to them by way of encouraging them in well-doing.

They are well satisfied with their new agent and his general management,

and it is hoped that his views may be consulted, and adopted as far as practicable, by the government.

UPPER MISSOURI INDIANS.

In view of the change of policy likely to be adopted by the government in reference to these Indians, I have thought best, at this time, not to forestall the action or recommendations of the commissioners now here to treat with them. I beg leave, however, to present for your information an estimate of their probable numbers, taken from the minutes of the commission now in session at this place, leaving all other questions, for the time being, awaiting the result of the efforts of the government, through its commissioners now on the ground, to re-establish friendly relations with them.

Their numbers are believed to be about as follows, viz: (all of whom, or nearly so, are now in this Territory.)

Cheyennes, 700 lodges	4,200
Arapahoes, 200 lodges	1,200
Upper Brulés, 300 lodges, probably over	1,800
Lower Brulés, 200 lodges	1,200
Ogullulus, and Bite-in-twos, believed to be 600 lodges	3,600
Uncpapas, 400 lodges	2,400
Eat-any-thing, 100 lodges	600
Sans-arces, 200 lodges, probably over	1,200
Blackfeet Sioux, 200 lodges, probably less	1,200
Yanctonnais, probably between 700 and 800 lodges	4,200
Two-kettles, about 130 lodges	780
Minneconjas, 370 lodges	2,220
Arickarees, Mundans, Gros-Ventres, and Assinaboines, 1,500 lodges, estimate	9,000
Total	33,600

The above is believed to be under rather than over their actual numbers. General H. H. Sibley, a member of the commission now here, who is, doubtless, better informed on this subject than almost any other man in the northwest, is of the opinion that they will number fully 30,000 souls.

With this hastily-drawn and imperfect sketch of Indian matters in this superintendency, hoping that it may be of some service to your department and the government in shaping its Indian policy for the coming year,

I am, sir, very respectfully, your obedient servant,

NEWTON EDMUNDS,

Governor and Ex-officio Superintendent of Indian Affairs.

Hon. D. N. COOLEY,

Commissioner of Indian Affairs, Washington, D. C.

No. 51.

DAKOTA TERRITORY, EXECUTIVE OFFICE,
Yancton, September 12, 1865.

SIR: In forwarding my report of the condition of the Indians in this superintendency for the month of August last, I have but few suggestions to make in addition to such as will be found in the various reports of the local agents, and those refer almost wholly to the condition of the Yancton Sioux Indians, and their prospects for the coming winter, which, I regret to state, are not as flattering as I could wish to see.

PONCAS.

You will observe, from the report of Agent Potter, that this tribe are not only comfortably situated for the present, but that they doubtless have raised a sufficient amount of food to feed them comfortably through the winter. This is also the opinion of Hon. A. W. Hubbard, who has recently visited that agency, and confirms the views entertained by Agent Potter in relation to the crops and condition of this tribe.

YANCTON SIOUX.

From Agent Conger I have as yet received no report for last month. Indeed, this could hardly be expected, as he reached this place last evening on his return from the east.

From Hon. A. W. Hubbard, however, who has been spending some days at that agency, I learn that their prospects for the coming winter are poor indeed. Their crops are very nearly a total failure, for reasons heretofore stated in special report of Agent Conger, and in my report for July last.

It appears to me that there is a pressing and imperative necessity for extending to this tribe considerable special aid to carry them through the coming winter, even though *all* the able-bodied ones resort to the chase for a subsistence. There is, as a matter of course, in the number of souls comprising this agency, (about 2,300 persons,) a large number who are unable, either from age, youth, or sickness, to procure their own subsistence under the most favorable circumstances; and when, as is now the case, all are short of food, such persons must be expected to and will suffer severely if not specially provided for. There are also connected with this tribe a large number of orphan children, (wards of the tribe,) many of whom are the offspring of officers and soldiers who have at various times been stationed in the vicinity of the tribe. Having been ordered to other fields, they, as a matter of course, returned their temporary wives (squaws) and these children to the tribe, to be provided and cared for by the nation. It has occurred to me that it would be but a simple act of justice, on the part of the government, to cause a sufficient amount of pay to be stopped, of all such officers, to afford subsistence to the parties deserted in such cases.

I am not prepared to make an estimate of the amount that will be required for the subsistence of these persons the coming winter, and shall not be until I can find time to visit that agency and inquire into each case, and ascertain the number that must necessarily be fed, and the amount of aid to be extended to each. I notice, on reference to the 4th article of the treaty with this tribe, first proviso, that the amount to be paid to the half-breeds of the tribe may be raised, or, I judge, suspended by the action of the tribe, (chiefs,) subject to the approval of the Secretary of the Interior. Should you, on examination of this article, entertain the same view, I do not see why a portion of this fund might not properly be diverted, for this year at least, to aid the tribe in this emergency. I believe this might properly be done, and the interests of the government and Indians subserved thereby. And in this view of the case, I believe Judge Hubbard and Reverend H. W. Reed will fully concur. Indeed, I think Judge Hubbard will recommend some change, in certain cases, of the manner of disposing of a portion of this fund.

I propose to hold this fund until further advices reach me on the subject from your office, feeling that I would not be justified in paying the money over, in view of the suffering likely to prevail in this tribe the coming winter. The orphan fund should be husbanded, for the present, for the same purpose, or expended in making preparation for their maintenance the coming winter. I feel confident that a considerable portion of this half-breed

fund does no good to the parties to whom it is paid, and only enables such parties to live in idleness and drunkenness a large portion of the time. A large portion of it is unquestionably misapplied, not in accordance with the spirit of the article of the treaty, or the intention of the chiefs and headmen in making the allotment.

SIOUX OF THE MISSISSIPPI.

Agent Stone reports the crops of this tribe as so far matured as to be out of the way of damage by frost, and that they will have considerable corn after allowing the Indians to use what green corn they needed while maturing. It appears, however, from Agent Stone's report, that they will have no potatoes, owing to the ravages of the grasshoppers, bugs, &c.

The appropriation for the subsistence of these Indians I think ample to feed them, if properly husbanded. Indeed, I do not think it will require that it should all be exhausted, unless we have a very severe winter, and considerable numbers should be added to the tribe by the return of fugitives formerly members of the tribe.

SIOUX OF THE UPPER MISSOURI.

Of the condition of these Indians I have no information in addition to what was communicated in my report for July. A considerable portion of them are still regarded and treated by the military authorities as hostile to the government. I understand, however, and believe, that they desire to make peace and resume friendly relations to the government.

UPPER MISSOURI AGENCY.

I have no information from the various tribes composing this agency except what is found in the report of their agent, this day transmitted to your office, together with the reasons why Agent Wilkinson does not take up his abode at that agency.

I shall not have time to prepare my annual report prior to the arrival of the commissioners to treat with the upper Indians, not having had time to visit the various agencies for this purpose.

As the commission goes up on a boat, I hope to find time to prepare it on the way up, in order that it may be transmitted in time to reach your office in time to take its proper place in your annual report to the honorable Secretary of the Interior. In case, however, I should not be able to do so, I will endeavor, so far as possible, to supply its place by special reports, which may be from time to time forwarded, as opportunity offers.

I am, sir, very respectfully, your obedient servant,

NEWTON EDMUNDS,

Governor and Ex-officio Sup't Indian Affairs.

HON. R. B. VAN VALKENBURGH,

Acting Commissioner of Indian Affairs, Washington, D. C.

No. 52.

WASHINGTON, March 11, 1865.

SIR: Congress, just before it adjourned, made an appropriation of twenty thousand dollars for the purpose of negotiating a peace with the hostile Sioux nation in the Territory of Dakota.

I think you will agree with me as to the importance of making an early effort to secure this very desirable object, especially when calling to mind

the efforts which are to be made the present season to open a wagon road through the Sioux country to Montana and Idaho, and the liberal appropriation made by the last Congress for that purpose.

In order to open the two lines of road across Dakota the present season, peace must either be consummated with the hostile Sioux, or else the War Department will have to detail a large number of troops to accompany the working parties on both lines; hence I am clearly of the opinion that an early effort should be made to accomplish the object for which Congress made the appropriation.

There are other and more important considerations to be urged why a treaty of peace should be early made with these hostile tribes, the most important of which is to avoid, if possible, the enormous expense attending a military expedition against them.

I beg leave to state, that I believe the object can be accomplished by sending some friendly Yanktons among these hostile bands, and inviting them to come in at some place designated and state their grievances to the government agents.

I beg leave further to state that, in my opinion, this can be further promoted by enlisting the active co-operation of such persons as are well known to these Indians, who have established a reputation among them of being their friends, by friendly acts since the war has been in progress. Such men can easily be found in our Territory.

Should you, upon reflection, regard this matter of paramount importance, I trust you will, at as early a day as practicable, prepare the necessary instructions for my guidance, and have the amount of twenty thousand dollars placed to my credit in New York, to be expended in effecting the desired object; and thus by early action save, if possible, the enormous expense of another military expedition, which costs millions of dollars.

I am, sir, very respectfully, your obedient servant,

NEWTON EDMUNDS,

Governor and Ex-officio Sup't Indian Affairs.

Hon. WM. P. DOLK,

Commissioner of Indian Affairs, Washington, D. C.

I fully agree with Governor Edmunds in the plan suggested, and ask the immediate attention of the Commissioner of Indian Affairs to it.

W. A. BURLEIGH, *Delegate, &c.*

No. 53.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs, April 6, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 11th ultimo, in relation to action to be taken for carrying into effect the intention of Congress "for negotiating a treaty of peace and amity with the hostile Sioux and other hostile tribes allied with them," and for which the sum of twenty thousand dollars was appropriated.

In order that early steps may be taken in this matter, Agent Burleigh has been authorized to purchase in St. Louis flour and bread to the amount of \$3,000, and the purchase of goods in New York to the amount of \$3,250 has also been directed to be made, the whole to be shipped as soon as possible to your care at Yankton. These goods are to be used as presents to the Indians in your discretion, in the progress of the negotiations which, it is hoped, you will be able to bring about at an early day. The balance of

the appropriation, \$8,750, will be placed at your disposal, to be used in defraying the necessary expenses of making the treaty; and for this expenditure you will be held accountable.

The Indians with whom the law contemplates negotiations were parties to the treaty of Fort Laramie, and an annual appropriation of \$50,000 for a series of years has been made, in the distribution of which they shared. The last instalment of the annuity is now appropriated, applicable to the next fiscal year, so that it is probable that, in stipulating terms of peace, provision for distribution of goods, agricultural implements, &c., to the Indians will have to be made, which will incur obligations on the part of government in advance, for which no appropriation of money is yet made. This must be carefully borne in mind in the progress of the proposed negotiations.

In order to secure the peace of the Territory and remove the Indians from contact with the whites, a primary object in view will necessarily be to stipulate for their relinquishing forever to the United States the right to occupy the country where such contact would be inevitable, and to remove to and occupy exclusively such other tract, remote from the lines of travel and settlement, as may be fixed upon, within which may be consummated whatever stipulations the government may make in their behalf, and within which white settlements, except of persons in the employment of the government, may be prevented.

The valley of the Platte river, and all the country south, must be entirely abandoned by the Indians with whom you treat.

The provision for the treaty is made by Congress, and the instructions for carrying that provision into effect are based, upon the supposition that it is practicable to obtain the attendance of the controlling chiefs and headmen of the hostile bands to a council having a permanent peace in view; and it is believed that your plan of bringing this about, by sending to confer with them parties who have their confidence, may be successfully accomplished.

Whenever this is done, and the way thus open for negotiations, you will necessarily be left to the exercise of your discretion as to the terms of the proposed treaty. Instructions beyond what are herein presented must be very general; but I should fail in my duty did I not remind you that, while the necessity of peace with these Indians to the safety of settlers upon the border, and the security of travel across the proposed new routes, demand great exertions upon the part of the government, yet the financial condition of the country no less demands that the expected advantages of peace be not purchased at too high a price; and in any stipulations for payments to the Indians, in recompense for yielding their right of occupancy of the country, care should be taken that, so far as possible, those payments shall be made in agricultural implements, stock, and other articles for their benefit.

Measures will be taken to secure the co-operation of the military authorities of the northwestern department with you in carrying into effect the intentions of Congress, and it is hoped that their co-operation will be cordial, and that the coming summer will not be far advanced before a substantial peace upon the border may be announced as the result of your management of the important trusts committed to your charge.

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner.*

Hon. N. EDMUNDS,

Governor and Ex-officio Sup't Indian Affairs, Yankton, D. T.

No. 54.

DAKOTA TERRITORY, EXECUTIVE OFFICE,
Yankton, May 15, 1865.

SIR: I have the honor herewith to acknowledge the receipt of your favor of the 6th ultimo, on the subject of a treaty with the hostile Indians of this Territory, and containing some general instructions in relation thereto.

Since returning to the Territory I have sought every possible opportunity of acquiring information in relation to their wishes, locality, numbers, and such other matters in regard to them as would be likely to be beneficial or useful in treating with them.

From all I can learn, I have not the least doubt but a very large majority earnestly desire peace, and are ready to treat to that end, and this will include a large portion of the leading or influential headmen and chiefs. I anticipate little or no opposition except from young men who are anxious to win a high position in their tribes or bands as warriors, and alien half-breeds.

In relation to their locality, I find that they are largely separated from each other, and that it will consume much time to get them together. I shall, however, make every effort in my power to induce them to congregate at *one place*, feeling that in this the object and aim of the government will be vastly subserved, as there must and will be less jealousy among the various bands in case I am able to make the distribution of the whole of the goods at the same time and place.

In relation to their numbers, I find great diversity of opinion. The estimates of various parties, all claiming to know, and stating the number of lodges, run from thirteen to twenty thousand. I have taken the estimate of four persons, (all well acquainted with these Indians,) and averaged them, and the result is as follows, viz:

	Persons.
Two-Kettle Sioux, 450 lodges	2,700
Minneconjas, 560 lodges.....	3,360
Yanktonnais, 580 lodges.....	3,480
Uncpapa and Blackfeet Sioux, 600 lodges.....	3,600
Sioux of the Mississippi.....	1,800
Total.....	14,940

The above I fully believe rather under than over their actual numbers.

It is stated, and I think very generally believed, that one cause of the trouble with these Indians has grown out of the small amount of annuities, and the manner in which they have been distributed, which has been mainly from private trading posts, and not unfrequently by the trader himself instead of their agent.

The Indians fully believe that their goods have frequently found their way to the trader's shelves, and have been from there sold to them for their robes. They say that in many cases they have purchased from the trader the very same goods, with precisely the same marks on them, that have been distributed to them from these very posts. If this is true—and I can but think there is some ground upon which they base their opinion—the manner of making the distribution should be changed at once. Agents should be required to distribute the goods in person at all times, and the distribution should not be made at a private trading post.

It appears to me that the remedy for this is to place the agents at posts in the Indian country prepared expressly for them, furnish them with proper

protection, and then require them to take up their residence at such post, and in cases where they neglect or refuse to do so, vacate their positions, and appoint such persons as will comply with this rule, and at such place or post all distributions should be made by such agent to the Indians.

I am also clearly of the opinion that the amount of annuities should be so increased as in some measure to satisfy the Indians, and cause them to see and feel that they are getting something worth coming in for. I take this view of the subject, believing it to be true economy in the government.

I believe it is admitted that the last three campaigns against these Indians have cost not much less than forty millions of dollars. I am clearly of opinion that could we have had peace by paying them this sum in annual instalments for a series of years, (and I think we might,) it would have been far better, not only for the government, but also for the Indians themselves, than to have expended it in the manner which has been done; though in taking this view, I by no means wish to urge upon the government the necessity of so large annuities. I think, however, their annuities should be increased, and believe it would be true economy to do so, provided the Indians maintained friendly relations in future with the government. Fifty thousand dollars per annum, properly distributed to them, would, I think, give them about three dollars per head; and if this sum was given to them in such articles as they need—in agricultural implements, stock, &c., (I would pay them no money)—I see no reason to apprehend further difficulties with these tribes, provided proper restrictions are thrown around them, and all contraband articles, particularly whiskey, is kept out of the country, and such measures taken as *will keep the half-breeds of British America from visiting them*, creating disturbances and dissatisfaction, which they invariably do on the recurrence of these annual visits.

Is there no way to hold the Canadian government responsible for the depredations committed by these lawless half-breeds? If there is, steps should at once be taken to prevent their coming into our country. I am credibly informed that several hundred of these Canadian half-breeds are now in the northwestern portion of this Territory, selling our Indians guns, powder, shot, whiskey, and other contraband articles, by this means putting it in the power of the Indians to prolong the war. I am informed by the Indians that these half-breeds advise and counsel them to continue the war against the whites.

A large quantity of alcohol is brought to the Missouri river by these aliens, and is there made into whiskey, by reducing with water, and sold to our Indians. The influence of these foreign half-breeds is now the greatest obstacle to peace. Of this fact I have not the least doubt.

I would prefer to see all the Indians located on the left or north bank of the Missouri river. The country is sufficiently extensive for them, and might very properly be set apart for their permanent homes. They should, in my opinion, be required to surrender to their agent, or the military authorities, all persons charged with crimes committed against the whites, and in case they refuse to do so, other members of the tribe or band should be at once seized and held as hostages to compel a compliance on their part, and should be punished in case the guilty are not surrendered in a reasonable time. This kind of policy the Indians can appreciate and understand, and it will restrain all turbulent ones, I think, in the bands. I believe I appreciate the important bearings of the contemplated treaty as regards the future of this section of country. I would, however, much prefer to divide the responsibility than to assume the whole of it myself. I undertake this matter greatly distrusting my ability to give satisfaction, but with an earnest desire to see such a line of policy adopted as will be mutually beneficial, and result in permanent good to the country and the Indians, and make them in future the firm friends of the whites.

The Indians have already heard, through messengers sent to the various camps, of the pacific designs of the government, and are now assembling at various points along the Missouri river, hoping at an early day to meet the government agents and re-establish friendly relations with the whites.

I have not the least doubt of the success of the undertaking, only believing it to be necessary to meet them in fairness and good faith, to be followed by such a change of policy as will satisfy them in the future that they will receive from their agents the goods and property furnished by the government for them.

I am, sir, very respectfully, your obedient servant,

NEWTON EDMUNDS,

Governor and Ex-officio Supt Indian Affairs.

Hon. WILLIAM P. DOLE,

Commissioner of Indian Affairs, Washington, D. C.

No. 55.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
St. Louis, Missouri, June 14, 1865.

GENERAL: I have the honor to acknowledge the receipt of copies of the following communications in relation to Indian affairs, with indorsement thereon of June 10th :

1. Letter dated May 6, 1865, from J. H. Leavenworth, Indian agent, to W. P. Dole, Commissioner of Indian Affairs.
2. Letter dated May 9, from Hon. Newton Edmunds, governor of Dakota Territory and *ex-officio* superintendent of Indian affairs for that Territory, to W. P. Dole, Commissioner of Indian Affairs.
3. Letter dated May 10, from same to same.
4. Letter dated May 26, from W. P. Dole, Commissioner of Indian Affairs, to Hon. J. Harlan, Secretary of the Interior.
5. Letter dated May 29, from Hon. J. Harlan, Secretary of the Interior, to Hon. E. M. Stanton, Secretary of War.

In relation to Colonel Leavenworth's letter and operations, I enclose herewith a despatch from Washington, signed by the Secretaries of War and the Interior, and two despatches from General Dodge, which cover the whole case.

In relation to the two letters of Hon. Newton Edmunds, I have only to say that the Sioux Indians have been attacking everybody in their region of country ; and only lately, long since the date of these letters, attacked in heavy force Fort Rice, on the upper Missouri, well fortified, and garrisoned by four companies of infantry with artillery. They have also made several raids into Minnesota, and at least one along the Iowa border. If these things show any desire for peace, I confess I am not able to perceive it. There are some of the Sioux bands in the Dakota Territory who are peaceably disposed, and we are using every effort to get them into military posts to effect peace with them, and I hope we shall soon be able to separate them from the hostile bands. The Indians now in hostility need some exhibition of force, and some punishment for the atrocities they have committed, before they will be peaceful.

I transmit copies of my orders and instructions to commanders on the frontier. My views and opinions on this subject are well known to the War Department; they were communicated long since, and at various times, through Major General Halleck, first as general-in-chief, and then as chief

of staff, and are doubtless now on file. The exact course I am pursuing I long since notified him that I intended to pursue, and all the information needed will be found in his office.

The treaty of peace which Governor Edmunds proposes to make, and which he thinks the Indians will be very willing to make, is, I presume, such a treaty as it has been the unvarying practice of the Indian department to make heretofore. A supply of food and presents to induce the Indians to assemble, and to satisfy them during negotiations, is first bought and transported to the place where the Indians are to meet the negotiators; a treaty is then made, which provides that the United States government shall pay certain annuities of goods and money so long as the Indians remain at peace. In other words, the Indians are bribed not to molest the whites. Past experience shows very conclusively what the Indians think of such a transaction. No country ever yet preserved peace, either with foreign or domestic enemies, by paying them for keeping it. It is a common saying with the Sioux, that whenever they are poor, and need powder and lead, they have only to go down to the overland routes and murder a few white men, and they will have a treaty to supply their wants. If such is the kind of treaty which will be satisfactory to the government, I do not doubt that Governor Edmunds is right in saying he can make one, either with the Sioux or any other Indians whatever. He has only to notify the Indians (hostile or not) that if they will come to a certain place he will insure their safety going and coming, and will give them presents and food, and make arrangements for continuing to supply them, provided only they will sign a paper promising to keep the peace toward the whites. But the very Indians with whom he now proposes to treat have signed such a paper, and gone through the same absurd performance once before at least, some of them oftener. Is there any reason to suppose that they are going now to keep their word any better than they did then? Of one thing we may be sure, and that is, that they will now demand a higher price for signing such a promise than they did before, and in six months or less be ready for another treaty at a still higher price. It seems idle to pursue the subject. It seems to me that no man can fail to understand, if he wishes to understand the matter at all, that such a practice as this only encourages Indians to commit hostile acts—every time they do it they are thus paid for it. The treaties I have directed military commanders to make are simply an explicit understanding with the Indians that so long as *they* keep the peace the United States will keep it, but as soon as they commit hostilities the military forces will attack them, march through their country, establish military posts in it, and; as a natural consequence, their game will be driven off or killed. That the Indians can avoid this by keeping peace, and in no other manner. This is a peace which involves no expenditure of public money for annuities or presents, and is no doubt objectionable to Indian officials on that account; but as it certainly will not involve any more Indian wars than have hitherto occurred, and will be certain again to occur under the present Indian system, it will have the merit, at least, of greater economy.

Indians will keep the peace when they fear the consequences of breaking it, and not because they are paid (and badly paid too) for keeping it, and when they can, by the present system of treaty-making, really make more by committing hostilities than by keeping the peace.

The Indians with whom Governor Edmunds proposes to treat are Indians who are now violating a former treaty. What have they done to entitle them to presents and annuities, or to greater confidence in their promises, unless, indeed, the violation of former treaties and the murder of whites are to be thus compensated?

I am very willing to unite with Indian officials, or anybody else, to secure peace with the Indians, but not willing, if I can prevent it, to pay Indians for outrages committed upon innocent women and children, and thus encourage them to a renewal of the same atrocities. I oppose the proposed treaty of Governor Edmunds because it will only lead to renewed hostilities, and very certainly, in the future as in the past and the present, involve the necessity of exactly the same operation in treaty-making. At the same time, the government and the people concerned will hold the military authorities blameless for any hostilities which may result from such a treaty.

I will very willingly aid the Indian agents in making one, but unless the Indian department will hold itself responsible for any murders of white people by the Indians with whom they make a treaty—Indians who have already violated one or more treaties of the same kind, and upon whom we have no greater hold now than hitherto—I am not willing to consent.

Whenever Indian hostilities or massacres occur on the frontier, the military are held responsible for them, and by none are they so held more promptly and violently than by officials of the Indian department, who have made treaties with the very Indians concerned which could not fail to lead to an outbreak. Either the War or the Interior Department should have the sole management of Indian affairs. This divided jurisdiction tends to nothing but evil. The Indian officials are anxious, in season and out of season, to make treaties, for reasons best known to themselves. The military commanders, foreseeing the inevitable result of these bribing treaties, and knowing that they will be held responsible for all the Indian hostilities which surely result from such treaties, oppose treaty-making of this character. Hence constant differences of opinion and conflicts of jurisdiction, which can only be avoided in one of two ways—first, to return to the War Department the whole management of Indian affairs; or, second, to provide for making treaties with Indians without the expenditure of money or goods. Having no power to effect the former arrangement, I am endeavoring to effect the latter.

Permanent or even long-continued peace with Indians, under the present system of treaty-making, even if conducted with strict honesty and good faith with the Indians, I believe to be hopeless.

I again invite attention to my letter on this subject to the Secretary of War, dated February 6, 1864, and published in the official Army and Navy Gazette of April 23, 1864.

Wisdom and humanity alike dictate a change in the present system of Indian management. The development of the mining regions in the Territories of Colorado, Nevada, Idaho, and Montana has attracted such a horde of emigrants that the Indian country is penetrated in every direction; highways are made through it, and the game driven off and destroyed. The Indians are more and more confined to circumscribed areas, where they are less able every day to subsist by hunting. A few years more, and they will be driven to extremities. No one can say what outrages are committed upon Indians by these irresponsible crowds of white men flocking through this country. It is only what the Indian does to the white man that is published to the country, never what the white man does to the Indian. I have not a doubt that the Indians could be pacified if they did not hope from day to day that by keeping up hostilities they would secure a treaty such as has always before been made with them, and which would supply their wants.

By sending troops enough, the Indians can of course be exterminated, but surely such cruelty cannot be contemplated by the government. The question is now squarely before us, either the extermination of the Indian tribes, or a humane policy which shall save them from so cruel a fate, and at the same time secure from danger white emigrants. The present system of

Indian policy has only to be pursued a few years longer, and, in view of its past results in this direction, it is certain that no Indians will be left to treat with. Where are the great tribes of Indians to whom we applied this system of treaty-making so short a time since? Has there been a people on earth who have been so rapidly destroyed under the pretence of kind treatment? It is a simple process to calculate how long is the term of life of the tribes which still remain. Nothing can save them from the same fate unless the government changes its course, gathers them together, and places them in such a position and condition that they will no longer be objects of cupidity to unscrupulous whites. So long as they receive money and goods they will be a constant source of temptation to white men, and will be wronged and plundered.

It is surely unnecessary for me to pursue this subject further. I am only reiterating opinions and views long since officially communicated to the War Department, and which I am convinced the new Secretary of the Interior would gladly examine and consider courteously. To his predecessor in office it has been useless to present such matters. I beg, therefore, that this communication, with its enclosures, be laid before the Hon. Mr. Harlan; and I feel confident that he will very willingly adopt the plan suggested, or some other, to save the department from discredit, and the government from the shame of inhumanity.

I shall pursue the course I have begun, without change, unless I receive orders to the contrary from my proper superiors.

Since beginning this letter the enclosed despatch has been received. The Indians thought by Colonel Leavenworth to be so anxious for peace are those mainly concerned in the reported outrages. Opportunity has been and is being given to him to make peace with these Indians. He has been once robbed of his stock and driven out of their country. My impression is that this time he will lose his life.

I transmit also a copy of letter just received from General Dodge, commanding department of Missouri, which touches upon some of the points in question.

I am, general, very respectfully, your obedient servant,

JOHN POPE,

Major General, Commanding.

Lieut. Gen. U. S. GRANT,

General-in-chief of the Army.

No. 56.

DEPARTMENT OF THE INTERIOR,

Washington, D. C., July 6, 1865.

SIR: Your communication of the 19th June last, addressed to this department through the Secretary of War, and letters from Major General Dodge and from you, addressed to Lieutenant General Grant, on the subject of Indian hostilities and Indian intercourse, have been received and carefully considered.

In reply, allow me to say that the manifest indisposition mentioned by you of subordinate officers of this department to act in harmony with the policy of the War Department, and the alleged publication of uncharitable strictures reflecting on the character and conduct of those in command of troops in the Indian country, are without the sanction or approval of the Secretary of the Interior, and measures will be adopted to terminate such conduct.

It is the desire of the Secretary of the Interior to subordinate the action of the agents of the department to the policy of the Secretary of War, in relation to Indian tribes at war, and to secure the support of the military authorities in carrying out the civil policy of the government in relation to those Indians at peace, with the United States.

The policy of the government in relation to nearly all of the latter class of Indians has been settled by the President and the Senate in treaty stipulations, which carry with them the plighted faith of the nation and the force of law. Whether this policy is wise or unwise, is not now a practical question for the Secretary of the Interior or the Secretary of War, nor for the President in his character as commander-in-chief or chief executive officer of the nation.

Treaties made and ratified must be enforced by the President, until abrogated by the same power which made them. All the Indians referred to by you as annuity Indians are in this category.

It is on this account that the Secretary of the Interior recommended, and, as he supposes, the President approved, the designation of some suitable person to proceed to the Indian country, to be on the ground, when the proper moment should arrive, to represent the President in negotiating for peace, and for the settlement of the Indians in districts of country as remote as practicable from the great lines of travel across the plains and settled Territories.

It is true a general or other military officer might be thus designated by the President, were it not that Congress has provided by law that such treaties shall be negotiated by an officer of the Indian department. For that reason it was, in the opinion of the Secretary of the Interior, necessary to send some such officer, conversant with the subject and the probable views of the Senate, to act in concert with the military authorities, whose presence and power would awe the Indians into obedience; otherwise all would be futile, on account of the non-compliance of the Indians, or the refusal of the Senate to ratify the treaty arrangements. Hence, whether a new policy shall be proposed or the old policy enforced, a prudent, careful, and well-informed negotiator will be needed.

The evils growing out of the settlement of the Indians on the borders of our frontier, mentioned by you, and which you propose to remedy by removing them far in the rear of our settlements, have not escaped the observation of this department. But it is no more than just to the government, and is at the same time in support of the wisdom of your suggestion, to say that when these Indians were first settled on their present reservation they *were* far in the rear of our settlements. That the rapid growth of the nation has brought our people to their doors, and surrounded them, in some cases, with a white population, is no fault of theirs, and is no misfortune of ours. And if it does render their removal and re-location desirable to us and to them, the practical inquiry arises, where can you find for them a place and habitation free from this returning evil? There is not now one foot of territory belonging to the United States, except the comparatively small district west of Arkansas, not embraced within the limits of our organized territory; and this excepted district is owned in fee simple by the Indians who now occupy it. It is hoped that they may be induced to open this territory to settlement by other Indians who have attained the same degree of civilization with themselves. Should the department succeed in this arrangement, provision may be made for such of the Indians residing in Kansas and Nebraska as may agree to remove to that Territory. So far as it may be practicable to execute this design, your suggestions will be carried into effect. But beyond this the government has no home to offer them where they would be free from constant friction with the worst classes of white people. They must, therefore, remain on their reservations for the present, and it is just to say of

some of these that they are doing comparatively well and are increasing in numbers.

But the more difficult question still remains, what shall be done with the wild, uncivilized, or Blanket Indians, who live by the chase, now that the encroachments of the white people are pressing them on every side and permeating their country in every direction, destroying and driving off the game on which they have chiefly relied for support? As Congress has organized civil governments in these Territories, and has thus invited their settlement by civilized people, it is no longer possible for the Secretary of the Interior or the Secretary of War to preserve them unbroken for a habitation for the Indians. It is equally clear that these Indians cannot long support themselves by their former pursuits. They must, therefore, gradually perish by the sword if they remain hostile, by starvation should they become peaceful and avoid plunder, or they must resort to pastoral and agricultural pursuits. As their extermination cannot be entered on by a great and Christian nation, there is but one course left for consideration. The government must attempt to colonize them; and the first step to be taken in this policy is to give them a local habitation. They must be induced or compelled to live on some limited district of country, designated by metes and bounds which they will learn to regard, and which others can be compelled to respect as their home; where they will gradually adopt, from necessity and imitation, pastoral and agricultural pursuits. At first the district of country assigned to each tribe may be large, and afterwards diminished from time to time, as game disappears and the Indians become more and more accustomed to civilized pursuits.

During the transition period, it will become the duty of the government to supply them with a portion of the means of subsistence, commensurate with the deficiency occasioned by the destruction of game by our advancing settlements.

To this policy there are great objections, but it is doubted whether there will be any other practical mode of procedure devised that will not be liable to greater embarrassments.

In the selection of such reservations, the agents of this department will be expected to avail themselves of the great knowledge of the character of the country, and of the various Indian tribes, acquired by the military officers in command of expeditions against any of these Indians, and in command of the military posts located in their vicinity, and as far as practicable to act in harmony with their views.

With great respect, I have the honor to be your obedient servant,

JAMES HARLAN, *Secretary*.

Major General POPE.

No. 57.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., July 11, 1865.

SIR: It is deemed proper, and it will be the policy of the department, in the further management of our Indian relations with tribes or bands in hostility with the United States, to subordinate its action and intercourse with them to the policy and operations of the War Department pending such hostilities; and on the other hand, with respect to Indians in amity with the United States, it is expected, and not doubted, that the officers of the War Department will co-operate with the peaceful intercourse with those tribes.

I have therefore to request that you will instruct the several superintendents and agents not to deliver goods, money, or other property to any Indian nation, tribe, or band while they are in hostility to the government, and to suspend all intercourse with such Indians, except so far as the same may be sanctioned by the officers of the War Department.

In enforcing the civil policy of the government with Indians who are at peace with the United States, you will direct the superintendents and agents, when necessary, to request the assistance and co-operation of the proper military authorities. They should also be instructed to refrain from publishing any facts in relation to Indian affairs, or imparting to any one information on the subject, with a view to its publication. They should also be directed to communicate all such information to this department, or to the Commissioner of Indian Affairs, for such action as may be considered necessary.

Should any superintendent or Indian agent at any time entertain the opinion that the officers of the army are innocently, or otherwise improperly, interfering with the rightful authority and prerogatives of this department in its management of Indian affairs, he should report the facts to the Commissioner of Indian Affairs, or to the Secretary of the Interior, and the department will confer with the Secretary of War upon the subject, if deemed necessary.

Very respectfully, your obedient servant,

JAMES HARLAN, *Secretary.*

D. N. COOLEY, Esq., *Commissioner of Indian Affairs.*

No. 58.

Circular to superintendents of Indian affairs and Indian agents.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., July 27, 1865.

SIR: It appearing that differences have arisen between the superintendents and agents appointed by this department and the military authorities, at and near Indian reservations and agencies, as to the treatment of and intercourse with the Indians who are hostile to the United States, it is deemed necessary to inform you of the policy adopted by this department in its connexion with the military authorities during the continuance of such hostilities. This department will subordinate its action and intercourse with the tribes and bands in hostility to the United States to the policy and operations of the War Department pending such hostilities; and, on the other hand, support the agents and employés of the Interior Department in the performance of their official duties, and in the enforcement of the rules and regulations governing our intercourse with Indians in amity with the United States.

In consonance with this policy, therefore, you are hereby instructed not to deliver goods, money, or other property to any Indian nation, tribe, or band, while they are in hostility to the government; you will be especially vigilant that no trader under your supervision has any trade or intercourse with any member of such disaffected tribe or band, under penalty of revocation of his license and expulsion from within your jurisdiction; and you will suspend all intercourse with such Indians, except so far as the same may be sanctioned by the military officers in charge of operations against them.

You are further instructed to refrain from furnishing to the public, or to individuals in such manner that it may be laid before the public, informa-

tion upon the subject of Indian affairs. In regard to this subject, your attention is called to the circular instructions from this office of January 26, 1865, in which the communication to the public of information of pending affairs relating to the Indians, and a neglect to advise this office or the Interior Department of matters of importance receiving or needing attention, was mentioned as being sufficient cause for dismissal from office.

Where difficulties arise in enforcing the civil policy of the government with Indians who are at peace with the United States, you will request the assistance and co-operation of the proper military authorities.

If at any time it shall appear to you that the officers of the army are interfering with the proper execution of your duties as civil agents of the government, or that they fail to render you such aid as is necessary to enable you to enforce the regulations, adopted alike for the good of whites and Indians, you will content yourself with making a full representation of the facts at once to this office, or to the Secretary of the Interior, when measures will be taken by the department to bring about, if possible, the co-operation of the military officers with you in such measures as may be deemed proper.

You will hereafter make a full and explicit monthly report to this office of the condition of the tribe or tribes under your charge, with such suggestions as you may deem beneficial to them.

D. N. COOLEY, *Commissioner*.

[Indorsed.]

The concurrence of the War Department in the within is expressed in the following letter:

WAR DEPARTMENT, WASHINGTON CITY, July 22, 1865.

SIR: I am instructed by the Secretary of War to inform you that he concurs in the views expressed in your communication to the Commissioner of Indian Affairs, a copy of which was enclosed in your letter of the 15th instant, and also to state that the Adjutant General has been directed to transmit to Major General Pope a copy of the communication in question.

I have the honor to be, sir, your obedient servant,

THOS. T. ECKERT,

Acting Assistant Secretary of War.

HON. JAMES HARLAN,
Secretary of the Interior.

No. 59.

St. LOUIS, August 16, 1865.

SIR: I am expecting every day to hear from General Sully the result of his conference with the Sioux and Cheyennes at Fort Berthold. I should think it well for the commissioners to go up the river to Fort Rice, and from there communicate with Sully. The Indians would probably prefer to meet commissioners either at Fort Berthold or Fort Randall.

It is highly probable that a satisfactory treaty can be made with the Sioux of the upper Missouri this autumn. If too late in the season for this, a cessation of hostilities will be effected, and the final treaty made in the spring. It seems to me desirable, however, that the commissioners shall go at once to Fort Rice, where they can, at least, see and confer with the Indians who have separated from the hostile bands, and are desirous to make permanent peace. In this way, too, more Indians might be separated from the hostile camps until these camps were designated—[probably decimated.]

If the commissioners will come this way, I will confer freely with them, and give them all the aid and information at my command.

JOHN POPE, *Major General.*

HON. JAMES HARLAN,
Secretary of the Interior.

No. 60.

HEADQUARTERS NORTHWESTERN INDIAN EXPEDITION,
Camp No 22, July 20, 1865.

SIR: I leave here day after to-morrow. I give up all hopes of any new Indians coming into this place. Since I held my council last Sunday a few straggling lodges have come in from the hostile camps, some fifty or sixty. They say nearly all the Indians want to come in, but are afraid of this place. They would meet me anywhere else, so I designated Fort Berthold. I cannot get at any positive information why they should have such antipathy to Fort Rice; but such is undoubtedly the case. Some of the half-breeds interested in trading establishments elsewhere may have something to do with this, trying to induce the Indians to come in at a certain place, whereby they may profit by the trade. To show this, night before last some one (the Indians say he was a white man) rode through their camp just after a steamboat had crossed from Rice to my camp to bring me some rations, stating that a boat had gone over to me to bring me and my soldiers to kill them all that night. In a moment the lodges were struck, and there was the greatest confusion. Colonel Dimon, the commanding officer, and some of the chiefs, went to the camp and succeeded in quieting the disturbance, but not before some of the young bucks had mounted their horses and were off. No doubt by this time the news is spread all over the hostile camp. The general will see what trouble I have to accomplish my ends.

All the Indians have crossed the river at this point, and have gone in a northeast direction, where the buffalo are said to be plenty. I believe them to be sincere in their desire for peace.

I shall march from here to Devil's lake. The route I will take will not be in a straight line, and I judge it will take me nine days to march there. From there I shall go to Mouse river, and from there to Berthold. It will take me near a month to make the march. At Berthold I shall have stores shipped for me. By this march I am in hopes of coming on to some of the Santee, Cut-Head, and half-breed camps. I do not think, from what I hear, there are any number of hostile Santees east of Devil's lake; but if a small force could be sent in that direction it might quiet the fears of the inhabitants of Minnesota, and they might fall in with some scattering bands. There are plenty of Indians between the Missouri and the James, probably 3,000 warriors, but they are all Indians who have made peace with me, and I feel sure they will molest no one. It was absolutely necessary to send them there to subsist. I have not the rations to give them, and if they remained here they would starve. I am much concerned in regard to the health of this garrison the coming winter. Last winter they suffered terribly by death and sickness, and all the medical officers agree that they fear that they will suffer more next winter. At the urgent recommendation of medical officers, I have directed two companies of the fourth United States volunteers to relieve the companies at Union and Berthold. The two experiments we have made this year to get potatoes have failed. The last year's potatoes will not stand transportation. There is only one way, and that is, if possible, procure potatoes of this year as soon as they are ripe,

and ship them on a very light draught-steamer, not drawing two feet water. I would recommend this to be done. It may be the means of saving the lives of a good many men. A large quantity of garden seeds were shipped here by the first boat up, and the commanding officers planted a large garden. Everything came up finely, and the garden was doing remarkably well; but the grasshoppers came in clouds, and a few days finished the garden. Seeds were again planted, but it was too late—nothing has come up.

I have ordered large amounts of hay to be cut, but it will have to be hauled eight miles and cross the river. I do not know how much they will succeed in getting in.

With much respect, your obedient servant,

ALFRED SULLY, *Brevet Major General.*

JAMES SAWYER, *Captain and A. A. G.*

No. 61.

HEADQUARTERS NORTHWEST INDIAN EXPEDITION,
Camp No. 30, Devil's Lake, D. T., July 31, 1865.

SIR: My last official report about the movements of the expedition was dated at Fort Rice, July 20.

Feeling assured that no more Sioux intended to come in and surrender to me, I concluded to take up my line of march in the direction of Devil's lake, to ascertain if any hostile Indians were or had been recently in that vicinity, in compliance with my instructions from headquarters department of the northwest.

I left the camp opposite Fort Rice on the 23d July, with about the same command, (840 men for duty,) which, with the officers, teamsters, herders, and other detailed men, swelled my command to over one thousand.

We marched in a direction generally north 30° east; and on Saturday, the 29th of July, reached Devil's lake, encamping on the southern border of it.

We found the grass very good all the way here, and plenty of water, but of a very bad quality, until we reached the headwaters of the James; from there here the water is very good, but at this place, Devil's lake, it is decidedly brackish. I fear it may produce sickness; the men, however, are digging wells, and find better water. As for wood, we found not even a bush six inches high until we reached here.

The soil improves very much after crossing the James river; some places even looked as if they might be cultivated, which is a rare thing for Dakota, taking the Territory generally. The country was very hilly and broken until we reached the James; after that it became more level.

We found on our march large herds of buffalo and antelope, and the lakes filled with ducks and geese, but no Indians, though the country was well adapted for them to subsist and hide in.

During the march I sent out scouts to ascertain if there were any recent signs of Indians. At our camp the first day out some tracks were discovered, one day old, of about three Indians moving north; these were followed three days, and then lost in the hills, a heavy rain storm washing out all signs.

On my third day out we crossed several trails of lodges, about a week old, coming from the Missouri and going southeast; these were made, without doubt, by a band of friendly Yanctonnais, who left the hostile camp, crossed the Missouri forty miles above Rice, and went to join the rest of

the friendly Indians between the Missouri and the James. We also came upon a very heavy trail of half-breed carts, coming from the north and going towards the Missouri. Thinking that they might be a party going to trade with the Indians, I ordered Major Brackett, with three hundred picked men, to follow the trail up. He followed it fifteen miles, to their old camp; found they had left a week before, and had turned north in the direction we were going, so he joined me that evening. The next day we again struck their trail, and followed till I thought (it being late) we might reach them at night. I encamped, and gave orders for a very early start. We reached their camp, ten miles off, very early, and took them completely by surprise. We found fifteen hundred of their carts corralled, and they were all busy drying buffalo meat; they had with them their women and children, and even their priest. There was also travelling with them a French nobleman, lately from Paris.

I had the camp thoroughly searched, but could find nothing contraband, or anything whatever to trade with, nor did they have any robes or peltries to indicate they had been trading with any one. They were from the British possessions, and had been out about two months. They had seen the President's order about trading, and assured me they only came to get meat. In conversation with the priest and headmen, I told them about the trouble their people gave us in furnishing ammunition to the Indians. They admitted there were people living in their section of country who were guilty of this, but it was done without the knowledge of the people generally, (smuggled,) and they were anxious to stop it. I told them that their coming into our country to hunt in large parties would have to be stopped, as they were killing all our game; from their own report they had killed six hundred buffalo in one day. They answered me they knew no line of frontier; the half-breeds on the north and on the south of the line were all one family; they were intermarried, and that in their camp were many who live in the United States, while they lived in the British possessions. They all spoke the same language (French;) that they paid no taxes, had no laws, but that each colony or camp made their own laws, appointed a chief and two councillors, a police, &c. They handed me a written copy of their laws, among which I saw it was a fine of five pounds sterling to sell ammunition to Indians.

They admitted that perhaps it was true that they had no right to hunt in our country without permission, but if they could not do so they would starve; and added that the half-breeds living on our side of the line visit their country to hunt for valuable furs.

I obtained some information from them in regard to the Sioux, most of which I already knew, in regard to the Indians near Berthold, (part of the half-breeds had been there,) but they also assured me there were no Indians east of Devil's lake; that most of the Santees they left in the British possessions. Among them they mentioned Sleepy Eye and, I think, White Cloud, as chiefs; that a part of them were at Turtle mountain, which is just on the line, and that they thought some Santees, Cut-Heads, and North Yancotonais—about 500 lodges—were on Mouse or Assinaboine river; that no hostile Indians, except a party of thirteen, led by a half-breed, (a deserter from our service,) who came to their country, stole several horses, and joined the Santees, trying to get them to make war, had, in their opinion, visited the white settlements this year, and they felt sure if any large body of Indians had left for Minnesota they would know it, and they, moreover, stated that they believed the Indians would be glad to come in and make peace, for they were very poor.

So much of the day was consumed in talking with these half-breeds, I camped near them, and started next morning. Quite a number wished to

accompany me to the hostile camp, asking only what they would plunder for their pay, but I had no wish for their services. I was afraid they would require my men to fight, while they interested themselves in the plundering.

The next day, after a march of twenty-six miles, we reached the southwest corner of Devil's lake. We crossed a trail of six lodges going to Mouse river.

Devil's lake is a beautiful-looking sheet of water, but the water is not fit to use. The animals, however, appear fond of it; it is quite salt. Where I camped I had no timber, but excellent grazing. The lake is filled with large islands, some of them three or four miles long, and covered with the best of timber, and also filled with fish. I sent a force out to scour the country to the east of me, to look for Indian signs, and the best position for a post. My topographical officer, Major Von Minden, has handed in his report, and I will forward a special report in regard to the establishment of a fort at this point. The command found no recent Indian signs, the latest being one year old.

We found a camp of half-breeds near the lake—some twelve men, with their families. They were from our side of the line. I had their camp searched, but found nothing. They also told me they thought some of the Santees were on Mouse river. It looked suspicious that twelve men could come so far from home with their families, and not be molested by hostile Indians. I therefore placed the camp under guard till I could get near to the Mouse river, for fear that they might give the Indians information of my coming.

I am, sir, with much respect, your obedient servant,

ALF. SULLY, *Brevet Major General, Com'dg.*

JOS MCC. BELL, *Assistant Adjutant General.*

No. 62.

HEADQUARTERS N. W. INDIAN EXPEDITION,

Camp No. 37, Fort Berthold, August 8, 1865.

SIR: I have the honor to report that I reached this place at 8 a. m., and encamped three miles from the fort.

My last report was written from Devil's lake. I marched from there to the Mouse river, bearing north until I came in sight of the frontier of the British possessions, but at a long distance off. Owing to the great scarcity of water (that can be used) it is impossible to take every route you would wish. I passed quite a number of lakes, beautiful to look at, but containing water so strongly impregnated with alkali and other substances that it would about take the skin off your lips to drink it. As it was, we had to make marches of twenty-eight or thirty miles, and in ten days I reached a point two miles from Mouse river. From here I sent scouting parties up and down the river, one party going near the British line, but found no signs of Indians, except several signs of small camps a week or ten days old. We found signs of a small party (not over six) about a day or two old, going west.

Mouse river is a beautiful stream of clear running water, filled with fish. The banks are lined with an abundance of excellent timber, the grass and soil very good, the country around filled with game. There is no place in the Territory better located and adapted for Indians to live in. I am satisfied that what the half-breeds told me is correct; that none of the Santee Sioux Indians are south of the line, and it is perfectly impossible to come upon them without we can obtain permission to pursue them into the British possessions.

I would also beg leave to state that it is my opinion that these same half breeds give the Indians information in regard to the movements of the troops. On my way from Devil's lake to Mouse river I came on to another camp of half-breeds, some eight or ten men, with their families. As they had not been trading, nor had anything to trade with, I let them alone. Eight men, with their families, would not dare come into that section of country without they were on very good terms with the Indians; besides, I recollect seeing in the papers, before I left Sioux City, that I was directed to march up the Missouri and north. Could not these papers have found their way to the British possessions, and thus notice be given to the Indians to be on the lookout?

My march from Mouse river to this point was in a direct line, over a very dreary country, without water fit to drink. My last day's march, on this account, was near forty miles, and as the country was very broken, it took me many hours to accomplish it. On this account the animals (it being a very hot day) suffered greatly for the want of water. I, however, lost only one animal.

On my arrival here I heard the following Indian news: By my direction runners were sent to the camp, telling them that all who wished to make peace could come in and see me, and those who did not I would make war on. These runners, after remaining several days in the camp, returned and report that there is considerable division of sentiment on the question of war and peace, but that the peace feeling is the strongest. They are convinced there is no use of fighting, with any prospect of success, but yet they fear it is only a trap I have set to capture and slay them; that at one time the feeling was very strong to come in and surrender, but that a chief who wishes to lead the war party, called the Sitting Bull, hearing this on his return to camp, went through the different villages, cutting himself with a knife, and crying out that he was just from Fort Rice; that all those that had come in and given themselves up I had killed, and calling on the nation to avenge the murder. In consequence of this five hundred warriors went with him to Rice to see if it was true, and to avenge the massacre. There are other runners out, who have not yet returned. I will get more news by them.

The camp is only 50 or 60 miles from here, across the river in a southwest direction; they are camped in a position which I know very well, a very strong defensive position, and easy to retreat from by breaking into small parties and scattering into the bad lands of the Little Missouri. They report their camp extends near three miles, (I suppose scattered,) and over two thousand lodges, or about ten thousand warriors, Sioux of different bands, Cheyennes and various others. My wish is to get all who don't wish to fight out of the camp, and then take some steamboat that may pass, to cross my command and follow the rest. Without a boat it will be impossible for me to cross.

If I can't succeed in getting a large number in to surrender, I am in considerable of a quandary what to do. If I cross over with my small command of eight or nine hundred men to attack the camp in their strong position, and don't succeed in routing them, but have to fall back, my retreat will be construed into a defeat; it will strengthen the war party and weaken the peace party of Indians; and if I leave here without attacking them, matters will be nearly as bad.

I would not have the least hesitation, with 600 men, to cross the river and march through their country to Rice, for I feel sure I could defend myself; but that is just about as much as I could do. I feel perfect confidence in the superiority of the white man over any other race, and the troops being better armed and better disciplined, are greatly the superior to the Indians, yet

a handfull of men cannot attack and defeat ten times their number in a mountain pass.

I have read in the papers that General Connor and Brevet Brigadier General Heath, with bodies of troops, are moving to Powder river, and then after the hostile Indians, who have fled from the Platte. I do not know where they intend to go to find these Indians, but this I do know—very large numbers of the Minnecongues, San Arcs, Ogallalles and Brule Sioux, also Cheyennes, Arapahoes, and other tribes from the Platte Valley district, are in this camp, only 60 miles south of here. I have therefore telegraphed you to know where they are going; if they are on their way here, I am in an excellent position to co-operate with them.

I send you these despatches by an Indian, who has to run the gauntlet to get through the hostile country; I will therefore duplicate them by the first boat. I have not heard from department headquarters for a long time.

I am, sir, with much respect, your obedient servant,

ALF. SULLY, *Brevet Major General, Com'dg.*

Jos. McC. Bell,

Assistant Adjutant General.

No. 63.

HEADQUARTERS NORTHWEST INDIAN EXPEDITION,
Camp No. 53, Fort Sully, D. T., September 14, 1865.

SIR: Some days ago I telegraphed in regard to the commissioners going to Fort Rice to meet the Indians there. This is altogether impracticable during this season of the year, and for this reason I notified the Indians to be ready to meet the commissioners at Fort Sully, when word shall be sent them. It is with the greatest difficulty the lightest-draught boats get up the river now, and by October nothing can navigate it. In October and November this section of country is liable to terrible cold storms of rain and snow, so that the prairie roads cannot be travelled at all without running a great risk of losing all or most of your animals; it is much safer to risk travelling in January, during the bitter cold weather. The road on the river bottom is used in winter, but is not practicable for wagons, and for these same reasons the Indians dislike very much to leave their camps to go any distance; they have just got their horses in condition to be kept during the winter, to hunt for subsistence, and do not wish to break them down. Another reason, is a very large portion of the Indians dislike to visit Fort Rice; they have a fear of the place, and some you can't get to go there at all, because there has been so much trouble there with Indians lately. Friendly Indians have sometimes gone to visit the post, and while they are there some hostile ones follow them up and make attacks on sentinels, or steal horses. The consequence is, that the officers and soldiers, who cannot tell one Indian from another, retaliate by shooting at the first Indian they see, which sometimes happens to be a friendly Indian, or by placing some friendly Indian, they think they recognize as a hostile one, in the "guard-house." I do not intend by this to blame the officers; they have had no experience whatever with Indians—know nothing of the Indian character or manners, except what they may have learned from reading some novels. I don't believe any of the garrison at Fort Rice ever saw an Indian before they came to this country. The Indians told me in council that they wished to see me at old Fort Pierre, and if I would meet them there, a great many more would meet me, but they did not wish to come to Fort Rice again. I have heard nothing in regard to Mr.

Galpin's trip to the Indian camp, but expect to soon. A very large number of Indians have already given themselves up. I should think I far fall short of the mark when I state that three thousand warriors have already come in and made peace with me, on the terms the general commanding directed. I include in this number those who came in last year, as well as those who have come in this year, and the treaty I have made with them, though it has cost the government nothing (but the expense of fighting them,) will be, I believe, just as binding and as well kept by the Indians as if the government had spent large sums of money in the way of annuities, &c.

If Mr. Galpin succeeds in getting in the large camp of Sioux on the Little Missouri, which I think he will, then there will be over two-thirds of all the heretofore hostile Indians who will have submitted to the authority of our government, and this amount is all, I believe, who will voluntarily come in for the present. Of course you can get in the whole nation, and every other nation of Indians, if you will hold out inducements enough, in the way of money, goods, provisions, &c. But what would such a treaty be worth? As regards the rest of the Indians, those who still hold out hostile, it will require time and patience. A proper course on our part will in time force these Indians to come to our terms. I firmly believe these same Indians who have made peace with me can be induced to make war against the hostile bands and bring them in either alive or their scalps. There is one thing that all the Indians are very tenacious about, and that is the taking of their lands from them. In all their councils they have spoken about this, and I have assured them such is not the wish of our government, for their land is worth nothing to us; all we ask, and we must have it, is the right of way through their land to our lands west of them. They also assert that other tribes have sold their land to government. The Yancton Sioux part of the Yanctonnais Sioux land, and the Poncas part of the Brulé Sioux land, they mention as an instance. How this is I cannot say; my authority, in regard to the boundaries of different lands, is what the Indians and half-breeds say. One thing is certain, in regard to the Sioux Indians, there is a great change in their ideas and their manner of talking; there is no longer any boasting on their part since they have seen and felt the power of our government.

The expeditions into the heart of their country that the general commanding sent out during the last three years have proved to them, what they did not before believe, that they could not oppose our government with any chance of success. Before the year 1863 it was risky business for a small party of whites to attempt to go up the river as far as Fort Pierre, and no small party would ever think of going above there by land without they were traders, or were waiting to pay tribute to the Indians they met for this privilege, whom it is to their interest to protect and have in the country. Even the traders were sometimes abused in a shameful manner, and obliged to make presents to a large amount before they could get off with their lives. Steamboats travelling up the river were compelled frequently to land and pay the Indians for permission to navigate the river. Now small parties of three or four soldiers travel up by land to Rice without any very great risk. I do not wish to be understood by this that this country is entirely safe from all danger; there are hostile Indians, or "bad Indians," who will steal or murder, and will continue to do so in spite of all treaties that may be made, but they are comparatively few in numbers, and their number will grow smaller every year by proper treatment, which is, by killing them off or forcing them in the manner already suggested. This will not require a very large force of troops, but a sufficient force to garrison the posts, to defend themselves and protect such Indians as may be induced to take up arms against the hostile Indians. After a permanent peace had been made with

these Indians, which I fear cannot be accomplished before next spring, on account of the season, as I have already stated, I would offer a reward for every hostile Indian captured, or for his scalp. This would be cheaper and more effective than sending large bodies of troops, who can never be successful in hunting small bodies of Indians in their broken, mountainous country. Although I do not believe in giving annuities to Indians, I do think it would be well to give a small present to each of the chiefs and principal men who have shown a desire to be our friends, and have endeavored to make peace. The commanders of posts should be allowed to issue rations to such of these friendly Indians who are actually in want and deserve them, as a reward for their good conduct.

In conclusion, there is another matter I would like to mention, which is doing a great injury to the Indians, and that is, the half-breeds of the north coming across the lines to hunt buffalo. Several thousands of buffalo are every year killed by these hunters. If this is continued, in a short time they will kill all the game in the country, and we will be obliged to support our Indians to keep them from starving. I would therefore recommend that in case all the Indians make peace, we would promise the Indians that our government would see that this was stopped. With a little assistance on our part, the Indians themselves would take this matter in hand; but until they do make peace I would not meddle with it, for we would have both half-breeds and hostile Indians on our hands.

With much respect, your obedient servant,

ALF. SULLY, *Brevet Major General, Com'dg.*

ASSISTANT ADJUTANT GENERAL, *Department of the Missouri.*

No. 64.

DAKOTA TERRITORY, EXECUTIVE OFFICE,

Yanclon, August 11, 1865.

SIR: I have the honor to acknowledge herewith the receipt of your circular letter to superintendents and agents, of the 27th ultimo, on the subject of intercourse with friendly and hostile Indians.

The policy therein announced, it seems to me, is especially fitting and proper, particularly with the Indians in this superintendency; indeed, since I was made aware of the military order in relation to intercourse with hostile bands, about 1st of May last, I have, so far as I have been able, pursued the course announced in your circular.

I notice you call my attention to a circular issued by your office, under date of January 26, 1865. I beg leave to inform you that no such circular has ever reached this office; however, no information has ever been furnished from this office to the public or individuals since I entered upon the discharge of my present duties.

In compliance with the last paragraph of the circular under consideration, I beg leave to present herewith the condition of the various tribes in this superintendency for the month of July last. It will, however, fall far short of what it ought to, from the fact—1st. That all the agents upon the settled reservations have so recently entered upon the discharge of their duties that they have not yet become familiar with the habits, management, and condition of the various tribes under their charge, and have much to learn of what is required and expected from them in making up their monthly and quarterly reports; in other words, they are not yet themselves familiar with their duties. This will, however, very soon be corrected, and I hope to be able ere long to forward as perfect and prompt a report as it is possible to

make of such a people. 2d. The new agents have entered upon the discharge of their duties at a most inauspicious time, from the fact that for two years the crops in this Territory have been a total failure, owing to two successive seasons of severe drought, to which was added last year the grasshopper raid. The Indians at the various agencies had become thoroughly disheartened, and it required much patience and perseverance to persuade them to put a crop into the ground last spring. At the Ponca and Crow Creek agencies, however, we succeeded in getting up sufficient interest to induce nearly every family to put a crop into the ground, and there is now every prospect that they will be rewarded far beyond our most sanguine expectations.

PONCAS.

I early procured for this tribe a sufficient quantity of good seeds to crop all the land under cultivation at this agency, and it was got into the ground in good season and in good order. It has since been well tended, and there is now every reason to believe that a large and very fine crop will reward their labors. These Indians are highly gratified and pleased at their prospects for this year. Employés are held to a more rigid accountability at this agency than at either of the others, and the result is highly favorable to a continuance of the policy. Their crops of corn, potatoes, pumpkins, squashes, peas, and melons are very fine indeed, and they are now getting from their fields excellent green corn. Their crop of flat turnips is being considerably damaged by bugs.

YANCTONS.

I regret to say that the condition of this tribe is not as favorable as I could wish, owing to the fact of sufficient effort and preparation not being made in preparing their ground for the reception of seeds in season to secure for them good crops, and the poor quality of seed furnished for their use. This tribe have very little good corn, I think not to exceed ten acres. This fact is greatly to be regretted, from the fact that the season has been highly auspicious, and had sufficient forethought been exercised they might have had twenty-five or thirty thousand bushels of corn, and other crops in proportion.

I have as yet received no report from their agent of employés for the second quarter of 1865, though he was specially instructed to report at once on the organization of his working force, as you will see by reference to instructions issued to him under date of May 19, last, copy of which was forwarded to your office last mail. Agent Conger shows every desire to make this agency a model of good management, and will, I think, put matters in good shape here at an early day. He being entirely unaccustomed to a management of this kind, must have a reasonable time to learn fully his duties.

SIOUX OF THE MISSISSIPPI—CROW CREEK AGENCY.

I was advised in March that the Indians of this agency would at an early day be transferred to this superintendency, and on my return from Washington, the last of March, I took prompt steps to have them supplied with good seed corn and potatoes. Garden seed I could not procure for them in this country, and I did not feel warranted in sending to Chicago for them, and making at that early day a requisition on your office for the amount. They have a very fine crop of corn and potatoes, and will be well and amply rewarded for their efforts.

These Indians are prospectively in much better condition at this time than since their settlement in this Territory. They are well pleased with their new agent, and claim that they are being far better provided for than heretofore.

The agent was for a time much embarrassed by the non-reception of funds, now happily arrived, and being used to discharge the pressing obligations he was obliged to make, awaiting the reception of the money.

I am as yet in receipt of no report from Agent Stone for second quarter; it will, however, I am informed, be forwarded in a few days.

This agency being one hundred miles from a post office, communication with it is not always prompt, reliable, and regular. It is hoped that this difficulty will be remedied as early as next year by the Post Office Department, as it is in contemplation, I am told, to put on a horseback mail from Fort Randall to Sully once a week. The Crow Creek agency is on this route.

UPPER SIOUX INDIANS.—S. N. LATTA, AGENT.

I have so far this year received no report from this agency. The agent passed up the river on a steamer, and distributed the annuity goods, as I am informed, and returned immediately to his home in Leavenworth, Kansas, without reporting himself to this office, either orally or by letter. A portion of these Indians are regarded as hostile to the government, though from all I can learn I am convinced a considerable majority earnestly desire peace. Since last spring, on being advised of the military order in reference to intercourse with these various tribes, I have made no effort to communicate with them.

If the campaign now in this country is vigorously prosecuted, I shall expect to see peace the result before the close of the season.

UPPER MISSOURI AGENCY.—MAHLON WILKINSON, AGENT.

The various tribes composing this agency are regarded by their agent, and many others thoroughly familiar with them, as friendly and reliable, though their agent, as I am unofficially informed, was not allowed to distribute their goods to them. It has occurred to me that in this matter the military officer in command must have made a mistake, as the goods could be more properly distributed to these Indians than to the Upper Sioux.

The Indians of this agency grow large crops of corn every year, as I am informed. Their crops are good this year, so far as I have advices from them.

In my report for this month I hope to be able to state that the entire crop of all the agencies has so far matured as to be safe from damage from any of the causes which have heretofore effected it.

Very respectfully, your obedient servant,

NEWTON EDMUNDS,

Governor and Ex-officio Su'pt Indian Affairs.

Hon. D. N. COOLEY,

Commissioner of Indian Affairs, Washington, D. C.

No. 65.

EXECUTIVE OFFICE,
Yancton, D. T., May 19, 1865.

SIR: In compliance with instructions contained in a letter of the Hon. Commissioner of Indian Affairs, under date of March 24 last, copy of extract of which is as follows, viz: "And give him (you) the necessary in-

structions in regard to the duties of his office," &c., I have the honor herewith to present you with such instructions as are deemed necessary for your guidance at the present time, reserving the right to alter or change them from time to time as the exigencies of the case may require, or the interest of the government or Indians may seem to indicate.

1st. You will obtain from Major Burleigh as thorough a knowledge of the condition and management at the agency, and disposition and habits of the Indians under your charge, as possible.

2d. You will hold all employes to strict accountability as to the employment of their time, and the work accomplished by them, and keep a full and accurate account of the time of each, and see that no persons are needlessly employed, but only such as are absolutely necessary to carry on the current business of the agency.

3d. In all cases where possible to do so, you will encourage the employment of Indians in agricultural pursuits, allowing them in each case a reasonable compensation therefor, in proportion to the amount of time they are thus employed, their usefulness, &c., calling ten hours a day's work.

4th. You will, upon perfecting the reorganization at the agency under your charge, report to this office the names of all persons employed by you, in what capacity, their compensation, and the time of their entering upon the discharge of their duties; also such changes in your working force from time to time as you may see fit to make.

5th. Leave of absence will not be granted to employes except for the most urgent and satisfactory reasons, and in all such cases deductions of salary will be made for such absence.

6th. You will not allow disorderly or dissolute persons to stay at the agency, as it is deemed far better to send such persons away at once than to allow them to stay only to create dissensions and trouble among the Indians.

7th. You will permit no intoxicating liquor to be brought, kept, sold, or given away on the reservation. It will be your duty, and you are clothed with ample authority, to destroy all such liquor at once.

8th. You will advise fully with this office at all times on the subject of the current business at the agency, and make requisitions for such funds as you deem necessary to carry on the business, giving your reason or stating the necessity for such application.

I am, sir, very respectfully, your obedient servant,

NEWTON EDMUNDS,

Governor and Ex-officio Supt Indian Affairs.

Major P. H. CONGER,

U. S. Indian Agent, Yankton Agency.

No. 66.

YANKTON SIOUX AGENCY,

Greenwood, Dakota Territory, July 15, 1865.

SIR: In compliance with your instructions under date of July 11, 1865, to make a full report of the condition of my agency at the time I entered upon the duties of my office, I have the honor to report that I arrived here on the first of May, and found Mr. Burleigh, the late agent, awaiting my arrival and ready to surrender to me, as his successor, the charge of the Indians, which he did on the day of my arrival. Some days, however, elapsed before he delivered to me the papers, &c. belonging to the office, he requiring some time to arrange and close his accounts.

I regret, sir, that I am compelled to state that I found the condition of things not very satisfactory. The buildings are miserable and in a dilapidated condition, the fences badly out of repair, and little or no preparation made to raise a crop the coming season. I found no teams (except one span of old and very small mules, which were worthless) and no cattle or stock of any kind that belonged to the agency, and in the various mechanical shops belonging to the agency the same condition of things existed. The tools that had belonged to the same—the most of them—had been broken or lost; so that, sir, I found myself in rather a poor condition to commence operations. However, I set to work, hired some ploughing done, (by paying what seemed to me an enormous price,) and succeeded in getting some two hundred acres of corn planted in tolerable season, but most of the seed proved bad and we had to replant; so, with bad seed and the grasshoppers together, we have succeeded in raising only a few scattering acres of tolerable corn—I should judge in all from twenty to twenty-five acres.

I find the Indians docile and friendly, but, from what observation I have made, my opinion is that they are the most indolent and improvident race of people on the earth; indeed it is counted a disgrace with them to labor, and none of them often do except the squaws or a few of the old men. The young men spend their time (when not out on a hunt) in lounging about in the most comfortable places they can find, telling stories and smoking their pipes, and without one day's provision for themselves and families in advance, they are as happy and as contented as lords, provided always they have for the *present* their own bellies filled.

As to schools for the Indians I find none in operation, and I am assured by them that there never has been any school organized or kept for them on this reservation. There is no building here for that purpose, and none that is in any way suitable, or that could be spared for that use; and, sir, while upon this subject I beg leave to call your attention, and also the attention of the department at Washington, to article 4 and section 4 of the treaty between the United States and the Yankton tribe of Sioux or Dakota Indians, in which the United States stipulate and agree to expend the sum of ten thousand dollars (over and beside the regular annuities) in erecting a suitable building or buildings to establish and maintain one or more normal labor schools for the instruction and benefit of the said Indians.

The head chief of the nation, and one of the parties to the treaty, has repeatedly complained to me since my arrival, and says his Great Father has not kept his word with him, for he promised him when he signed the treaty and sold his lands to the United States that he should have a school-house and teachers to teach his children to read and write, and to do all kinds of business like the white man. I would suggest that the *present* is a most auspicious time to commence in this matter, and with your permission I will ask leave to submit a plan and estimate (at an early day) for a school-house to be built next season.

I am requested also to report the number of missionaries or religious instructors among these Indians. As with the schools, I have to report none, and I understand there never has been any that made a permanent stay among them. I have had conversation with a number of the chiefs and headmen on the subject, and they all express a desire to have a priest come and live with them. They are strongly prejudiced in favor of the Catholic religion, and I think it very doubtful whether they would consent to receive any other. I am certain a good Catholic would be capable of exercising more influence over them than any other could hope to do for a long time. I have promised the chiefs that I will ask Bishop Smythe, of Dubuque, to send them a priest.

I am also invited to make any suggestions I may deem proper in reference to the government and management of the Indians, with a view to their ad-

vancement in the arts of civilization. My brief experience hardly qualifies me to offer advice; yet, were I to do so, it would be strictly to observe all treaty obligations, and teach by example as well as precept that it is the desire of the government to benefit and not to oppress the Indians. I am of the opinion that the present Indian system, if properly administered, is as good as can be devised; at least the Indians say that, let their agent be as bad as he may, they would still prefer him to the military.

It is not possible for me at this time to furnish you with the census of this tribe, as nearly all of them are now on the plains hunting buffalo, and will not return to the reservation before about the first of October, when I expect the most of them will be present to receive their fall supplies, when I propose to make an accurate enumeration, as required in your instructions.

Trusting, sir, that you may receive this hasty and imperfect report, and excuse me for this time, I have the honor to subscribe myself,

Very respectfully, your obedient servant,

P. H. CONGER,
United States Yancion Agent.

HON. NEWTON EDMUNDS,
Governor and Ex-officio Superintendent Indian Affairs.

No. 67.

PONCA AGENCY, D. T., July 20, 1865.

SIR: In obedience to your instructions, under date of July 11, directing that a full report of the condition of this agency at the time I entered upon the duties of this office, and up to the present time, be made to you at once, I have the honor to report that, on assuming the duties of agent for Poncas on the 5th of June, I found but one farm, consisting of two fields, one of 300 acres and the other of 60 acres. Both of these fields are enclosed with post and rail and post and board fence, all of which is in good repair. Owing to the new treaty made with the Poncas last winter, many of them did not plant in the enclosed fields, but went to the bottom lands on the Missouri river, so that not over 150 acres are under cultivation in the enclosure, and probably 100 acres on the Missouri river bottom lands, making in all under cultivation 250 acres, including 243 of corn, one of peas, two of potatoes, one of beans, one of squash, two of turnips.

There has been plenty of rain here this season, and I am pleased to state that present prospects of all kinds of crops are very flattering for an abundant harvest.

The employés of this agency, up to June 29, were K. W. Frazer, blacksmith; J. A. Lewis, farmer, and Mitchel P. Cene, Baptiste D. Lodge, and David Le Clair, laborers; and Antoine Roy, herdsman. The blacksmith has been occupied in doing the general blacksmithing and gunsmithing of the agency. This has kept him quite busy during the time that I have had charge here, it being a season of the year when the hunting and farming implements both needed repairing; but I thought that the amount of blacksmithing to be done for the next six months would be so small that it would not be economy to retain him; accordingly I discharged him on the 29th of June, of which I notified you at the time.

The farmer has charge of all the work done outside of the mechanical shops and a general supervision of stock and tools. Antoine Roy, herdsman, herds all the stock, both those used by the Indians and those used by the farmer. Mitchel P. Cene, Baptiste D. Lodge, and Daniel Le Clair, la-

borers, have been employed in preparing the grounds for planting, and in planting and taking care of crops, and in doing any work which is necessary to be done on an Indian agency. Francis Roy, interpreter, has no other business except that for which he was appointed.

The discipline of this agency requires of each employé ten hours' labor for a day's work, to which they all cheerfully comply. There are five frame buildings and sixteen built with logs. The material used for building being cottonwood, many of them are so warped and decayed that they will soon need considerable repairing in order to be of much service. The school-house, although covered with good lumber, the frame is of cottonwood, and far too light for the size of the building; in consequence of which the roof is settling in and the sides are spreading out, and is so shaken by the wind that it is impossible to keep plastering on it.

The stock used by the farmer consists of two yoke of oxen, one pair of horses, and one mule. The farming utensils consist of six ploughs, two harrows, one scraper, two one-horse hay rakes, one spade, three shovels, five hoes, and six axes; five pitchforks, four scythes, and two snaths, and four wagons. There may be, and probably are, more tools in the hands of the Indians, which I cannot ascertain until they return from the hunt which they are now on.

The steam saw-mill, with grist-mill attached, is a good one, and in good condition, capable of turning out from 2,500 to 3,000 feet of lumber per day. The blacksmith shop is in very good condition, and has sufficient tools for doing the work. The carpenter shop is in good condition, but very deficient in tools.

The manual labor school provided for in the fourth article of the treaty made with the Poncas March 12, 1865, ('58 ?) has never been carried into effect, and I beg leave to urge upon the department the necessity of completing a suitable building for that purpose and opening a school as soon as possible. The Poncas are very desirous to have this done. They say that one-half of the time since they were promised a school has already passed, and that unless it is soon commenced it will be of little use to them.

I would recommend the liberal purchase of teams, wagons, cows, and hogs, and such agricultural implements as may be necessary for them to cultivate the soil. I believe that if each Indian family was provided with these things in a short time they would raise quite sufficient to sustain them through the year. I would also suggest the propriety of selecting from the tribe some of the most intelligent youth, and paying them a small compensation for their labor, to learn the art of blacksmithing, carpentering, and engineering.

I have the honor to be, sir, very respectfully, your obedient servant,

J. A. POTTER,

United States Indian Agent.

His Excellency NEWTON EDMUNDS,
Governor and Superintendent Indian Affairs.

No. 67½.

PONCA AGENCY, D. T., *September 30, 1865.*

SIR: In compliance with the regulations of the Indian department, I have the honor to submit this my annual report.

Having assumed the duties of agent for the Poncas within the last five months I can say but little, comparatively, of their condition or improvement. Their deportment has been very good, considering the circum-

stances under which they have been placed; not having raised any crops for the two previous years, they were mostly dependent on the money received from government for their subsistence; that having been exhausted in feeding them through the winter, they had nothing to eat except what they gleaned from the prairies. They managed to live on that until they had finished cultivating their corn, of which they have about two hundred and fifty acres. During the time that they were cultivating their corn, and while they were at work in their field unarmed, a war party of Brulé Sioux attacked them and succeeded in killing two of their number. This so intimidated them that it was impossible to get them far enough from home to obtain game in any large quantities. They were thus kept on short allowance until about the first of September, when their corn crop ripened and furnished them with an abundance of food. I hope with their corn and annuity to be able to carry them comfortably through the year. No new improvements have been made on this agency this season. I thought it best not to make any until it was decided whether the Poncas are to remain here or go to the lands treated for last winter. It will be observed on examining my reports of employes that no mechanics have been employed during the last quarter. There being no improvements to be made, I thought it economy not to employ any at present. What actual mechanical work it was necessary to have done I hired done by the job, thus saving two or three hundred dollars during the quarter. When the manual labor school is put in operation, then it will be necessary to employ mechanics regularly to do the mechanical work, and to instruct the youth in these branches.

About one hundred and seventy tons of hay have been put up this season. Having no mowing machine, and but three laborers, I hired the hay cut, cured, and raked into cocks for two dollars and fifty cents per ton.

The present location of the Ponca agency is not suitable for the purpose. It is a barren waste, destitute of wood for lumber and for fuel, and of grass for hay. We were compelled this season to either cross the Running Water into Nebraska, or go eight or ten miles to get sufficient hay to sustain our stock.

I hope, for the benefit of the Poncas, that the new treaty made with them last winter will be ratified. It gives them a tract of land in the valley of the Missouri river, about twelve miles long and from one to two miles wide, in every respect suitable for an Indian agency. Part of it is covered with cottonwood, oak, elm and ash; the other part is covered with a luxuriant growth of grass, sufficient to sustain thousands of head of cattle with hay in winter, besides furnishing an abundance of pasture for summer. This strip of land is so well watered by the numerous springs coming in from the high lands, that unless the season was one of extreme drought, good crops could be raised every year. I am firmly of the opinion, if the Poncas can be placed on this new reserve, and be furnished with stock sufficient to commence stock-raising, and with suitable tools for farming, that with proper management for a few years they will be temporally beyond want.

I am, sir, most respectfully, your obedient servant,

J. A. POTTER,
United States Indian Agent.

His Excellency N. EDMUNDS,
Gov. and Ex-officio Sup't Indian Affairs, Yankton, D. T.

No. 68.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, March 9, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of this date, referring to the claim of the Ponca Indians for compensation for the loss of life and wounding of several of their number by a party of United States soldiers in 1863; and in reply, have to state that this office has not been unmindful of the great wrong thus committed upon these friendly Indians, but has endeavored to procure the discovery and conviction of the guilty parties through the military authorities. In this I have not thus far been successful; but even if such conviction were accomplished, I still fully recognize the equitable right of the surviving friends of the deceased, or their representatives, to pecuniary compensation for the loss incurred. Ample precedent for such compensation is found in the decision of our courts, in cases of losses of life and limb by careless or criminal management of railroads and steamboats, and I do not hesitate to say that I think the claim of the Poncas is a good one, founded in justice, sustained by precedent as above cited, and should meet with favorable consideration from Congress.

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner.*

HON. NEWTON EDMUNDS,
*Governor of Dakota and Ex-officio
Superintendent Indian Affairs, Washington, D. C.*

No. 69.

CROW CREEK AGENCY, D. T., July 30, 1865.

SIR: In compliance with your instructions in letter of July 11, 1865, I herewith submit a report on the condition of the agency at the time I entered on the duties of my office, with suggestions.

1. *Condition of buildings.*—I found them in good order, but some were in an unfinished state. One bastion lacked a roof, which I have since put on. It will be necessary to plaster the dwellings and offices, to render them comfortable during the winter present season.

2. *Condition of fences.*—Posts were set for about six and one half miles of fence; many of these were cottonwood. On at least two miles there were no boards whatever, and the remainder was much in need of repairs, no part of it being more than two boards high. I was obliged to employ laborers, saw lumber and repair the fence sufficiently to protect the crops from the depredations of cattle.

It will require considerable labor and lumber to make a good fence. I consider it necessary to build one mile of cross-fence to give me access to the river without passing through the fields.

3. *Improved land.*—It was in poor order, the prairie having been badly broken. About 175 acres were planted in corn, and one and one-half acre in potatoes; the balance was uncultivated during the present season.

The corn is ripening fast, and will undoubtedly be a good crop. In consequence of the ravages of the grasshoppers and bugs, I do not think the potatoes planted will produce anything.

4. *Number and condition of working teams.*—There were not any, two cows comprising all the animals turned over to me. I purchased two yoke of oxen, but find them insufficient to do the labor necessary. I need more; also a horse-team is very much wanted; the corn was not properly cultivated in consequence.

5. *Condition of wagons.*—I received seventeen, of which seven were in

good condition, and four more with some repairs will be good. The balance are old and almost worthless.

6. *Farming utensils, &c.*—The ploughs were in very bad condition, but few serviceable; the most of them will need repairs, and some are worthless. The chains were, the most of them, broken more or less. Most of the farming tools were in poor condition, and will need much repairing. Out of 170 ox-yokes received, I do not think over thirty of them can be made serviceable.

7. *Carpenters' and blacksmiths' tools.*—I found but few; many necessary articles are lacking, so that it is almost impossible to do the business required in those departments. A set of gunsmith's tools are much needed.

8. *Condition and capacity of the mill.*—The mill had evidently been a good one, but had been badly strained or overworked, and the boiler was leaky. After much repairing, I was enabled to cut 2,000 feet per day. It will require still further repairs if I continue to run it longer than the present month.

9. *Logs and lumber.*—14,253 feet of sawed and 63,457 feet of lumber in the log was turned over to me. The logs were very poor; they appeared to have been cut some time, and many were rotten. One-half of them are scarcely worth sawing.

10. *Powder magazine.*—The powder magazine receipted for is simply a 7 by 9 hole or cellar dug in the ground, utterly worthless for what it was intended, it being too damp.

11. *Beef.*—The beef, fresh, packed in snow, that was turned over to me, was, in consequence of the warm weather, in very bad condition; most of it was entirely spoiled, and the balance I issued immediately to the Indians, so that it could be saved by drying.

12. *Furniture, office blanks, &c.*—The tables were poor affairs, mere excuses, and the furniture generally needs repairing. I shall very much need a stove for the office during the coming winter. I found the office entirely destitute of desks, blanks, paper, and all articles necessary for office business. There were no copies of previous returns, reports, &c., to guide me in doing my business; thereby causing me much inconvenience.

13. *Names, number and description of employes*—They number seven, as follows: S. M. Griffith, carpenter and engineer; Frank Bronson, farmer; Judson Lamorie, teamster; E. Stutsman, head laborer; Arkicita, laborer; A. M. Kaupman, blacksmith; and J. W. Stone, agent. I find the employes prompt and faithful in attending to their duties, and circumstances have often required me to call upon them to attend to matters not within their regular vocation, yet they have always been ready and willing to assist me.

14. *Condition of schools, &c.*—So far as I am able to judge, from the short time that I have been in charge of this agency, I think the school in a very flourishing condition. The number enrolled as in attendance is 297; the number of teachers three. More explicit information is given in the report on education.

The health of the Indians is generally very good, considering their manner of living, yet there are quite a number of them sick. Many of them die for want of necessary medicine and a physician, when medical attendance would save them. I would suggest, for humanity's sake, that they be allowed a physician.

I will defer making further suggestions until after I am better acquainted with the wants of the Indians under my charge.

I have the honor to be, most respectfully, your obedient servant,

J. W. STONE,

United States Indian Agent.

Hon. N. EDMUNDS,

Governor and Ex-officio Superintendent of Indian Affairs.

No. 70.

CROW CREEK AGENCY, D. T., August 24, 1865.

SIR: I returned here on the 18th instant, and the teams with the 100 sacks of flour that I purchased at Yankton arrived on the 21st. Upon my arrival I found all the Indians that had gone on a hunt at the agency, having returned about four weeks since.

I did not expect them so soon, but the following statement of facts accounts for their early return. They found plenty of buffalo on the Dakota river in the vicinity of the "dirt lodges," but before they had succeeded in procuring any considerable supply of meat the buffaloes crossed to the east side of the Dakota, and when the Indians were crossing in pursuit of them they were met by a party of Brown's Indian scouts, (Indians,) who ordered my Indians to remain on the west side of the Dakota, stating that they had orders from Fort Wadsworth to prevent, by force if necessary, all Indians of this agency from crossing the Dakota river.

My Indians being thus prevented from following up the buffalo, and their "out-runners" not finding another herd, the entire hunting party returned to the agency with but a small supply of dried meat.

On my arrival I found a letter from the commanding officer at Fort Wadsworth, (a copy of which find appended,) by which I am officially notified not to permit any of my Indians to enter "his sub-district," of which the Dakota river seems to be the west line.

The Yanktons pursue the buffalo from the Dakota to the Big Sioux without any molestation from "Jo Brown's Indian veterans," or the commander-in-chief of Fort Wadsworth.

Now, I am not able to perceive the reason why the Indians of this agency should be made an exception to their clemency.

In order to obtain the information above mentioned, and that justice may be done, I beg that your excellency will give this matter your early attention.

I have the honor to subscribe myself your obedient servant,

J. M. STONE, *Agent*.

His Excellency Gov. N. EDMUNDS.

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HEADQUARTERS FORT WADSWORTH, July 27, 1865.

SIR: A number of Indians under your charge have lately come into my sub-district, the west line of which is the James river, to hunt; they have papers signed by you. It is strictly against orders from district headquarters for any of the Fort Thompson or Missouri river Indians to come into this district.

I have so notified the Indians, and also that a pass from any officer outside of this district will not be considered as any excuse; and hereafter any of the Indians from Fort Thompson or Missouri river found east of the James river will be treated as hostile, *and I take no prisoners*.

I am, sir, very respectfully, yours,

ROBERT H. ROSE,
Major, Commanding.

JOHN W. STONE, Esq.,
Indian Agent, Fort Thompson, D. T.



No. 71.

DAKOTA TERRITORY, EXECUTIVE OFFICE,
Yancton, August 11, 1865.

SIR: I have the honor to enclose herewith special report of M. Wilkinson, esq., United States Indian agent for the Upper Missouri River agency, together with statistical report on farming and on education, &c.

Major Wilkinson informed me, in a conversation I had recently with him, that he was not allowed to distribute the annuity goods to the Indians under his charge, but as I saw him but a few minutes, and he makes no mention of this fact in his special report, I am unable to give you particulars.

The district of country in the vicinity of Fort Berthold was last year well supplied with seasonable showers, and was not visited by the grasshopper; and I have no doubt, from all the information I have been able to gather on the subject of crops in that locality, that they raised the amount of corn stated.

The Indians have always been reported to me as entirely friendly to the whites, and willing and anxious to become settled upon reservations. I think there will be no trouble in inducing them to abandon their nomadic life, and settling them on a reservation, provided sufficient encouragement is extended to them in the way of aid in agricultural pursuits.

A state of hostilities prevails nearly all the time between these bands and the Upper Sioux Indians, and as the Upper Sioux nations are now at war with the government, these Indians, from motives of policy, are friendly with the whites.

The practice which has heretofore prevailed, indeed, does now, of agents only visiting their tribes once a year, and then but for a few days, thus leaving them a large portion of the time under the influence of such persons as choose to visit them from motives of a pecuniary nature, only interested in making the most money for the least consideration, I believe to be bad, and should be changed as soon as possible. The Indians regard their agent as the mouthpiece of the government, sent out to hear their grievances, redress their wrongs, and compel traders and others in the country to observe and obey treaty obligations and the laws of Congress.

Much if not all of our present difficulties may be traced to the absence of agents from their posts of duty, taken advantage of by designing and unscrupulous men to advance their pecuniary interests by cheating the Indians whenever opportunity offers.

It is not, perhaps, practicable to correct these evils at this time, but when peace is once more established with the hostile bands I can but believe it will be found greatly to the advantage of the government and people to require agents to take up their residence with the Indians under their charge.

Very respectfully, your obedient servant,

NEWTON EDMUNDS,

Governor and Ex-officio Superintendent of Indian Affairs.

Hon. D. N. COOLEY,

Commissioner of Indian Affairs, Washington, D. C.

No. 72.

VERMILLION, D. T., *August 7, 1865.*

SIR: Please find herewith reports of statistics of Indians under my charge, as per your letter of 11th of July.

I find it impossible to report accurately. I have not been able to get the Crows nor Assinaboines together. The heads of bands wish to represent their numbers as large as possible, that they may get the more goods; at

the same time will not disclose the numbers of other bands. Thus I am compelled to guess, but am not far wrong. Arickarees, Gros-Ventres, and Mandans, are all together at Fort Berthold. I commenced taking the census, but was waited on by the headmen, who told me that when last taken small-pox followed, and I found the excitement such that I deemed it best to abandon it for the time.

Crows and Assinaboines cultivate no ground. The former are constantly moving to avoid the Sioux. All say they are anxious to go on a reservation and raise corn. Indians at Fort Berthold do well. I think I estimate their crop low. I have no means of knowing the number of horses owned; they have no cattle nor hogs. They all use their dogs as chief means of transportation.

I am, sir, very respectfully, your obedient servant,

M. WILKINSON,

United States Agent for Indians on Upper Missouri.

Governor N. EDMUNDS,

Department Indian Affairs, Yanceton, D. T.

No. 73.

DAKOTA TERRITORY, EXECUTIVE OFFICE.

Yanceton, September 12, 1865.

SIR: I have the honor to enclose herewith reports by Major M. Wilkinson, United States Indian agent for Upper Missouri Indians, as follows, to wit:

"Report as to reason why goods have not been distributed to the Indians under my charge, and also statement of the causes of the prohibition by the military authorities."

"Report as to the condition of the Indians under my charge for the month of August, and also report of the reason for non-compliance with the law of Congress requiring Indian agents to reside with their tribes."

I am, sir, very respectfully, your obedient servant,

NEWTON EDMUNDS,

Gov. and Ex officio Sup't Indian Affairs.

Hon. R. B. VAN VALKENBURGH,

Washington, D. C.

No. 73 A.

VERMILLION, DAKOTA TERRITORY,

September 1, 1865.

SIR: I have the honor to submit the following report of the condition of the Indians under my charge for the month of August:

The Crows are on Milk river, in two bands. The mountain band have with them the Gros-Ventres of the prairie. They are avoiding, as best they can, the common enemy, the Sioux. They are constantly moving to avoid the Sioux, as well as to follow the buffalo. From the best information I can get they are in good condition, and well supplied with horses, and are perfectly friendly with white men. They are anxious to make treaties, go on reservations, and raise corn. I have been unable to see them in any considerable bands.

The Assinaboines are below Fort Union, some distance north of the Missouri river. They are divided into small bands, for hunting purposes, and are friendly with all their neighboring tribes. They are generally poor, have few horses, and use dogs for the purpose of transportation. They have been to Fort Union in but small parties. They will not be in again until spring, at which time the whole tribe has promised to meet me at the fort.

The Arickarees, Gros-Ventres, and Mandans remain at Fort Berthold during the summer season, but always winter at some distance from the fort. They are anxious to make treaties, have good prospects for corn, and are in good condition.

In my letter to you, of last summer, on the subject of unlawful trade with the Indians, I spoke of the evil influence of the American Fur Company. The Northwestern Fur Company, as at present controlled in the country by Messrs. Smith, Hubbell and Hawley, with the regulations they have adopted for the government of their employés, if faithfully carried out, will, in my opinion, correct the evil referred to.

Very respectfully, your obedient servant,

M. WILKINSON,

U. S. Indian Agent, Upper Missouri Tribes.

Hon. NEWTON EDMUNDS,

Gov. and Ex-officio Sup't Indian Affairs, Yancion, D. T.

VERMILLION, DAKOTA TERRITORY,

September 5, 1865.

SIR: I am in receipt of your letter of September 4, containing extracts from a letter of the honorable Commissioner of Indian Affairs, of August 25, requiring of me reports of reasons why goods have not been distributed to the Indians under my charge, and also a statement of the causes of the prohibition by the military authorities. In pursuance of your request, I have to submit the following report:

On my arrival at Fort Rice I found Colonel Dimon in command of the river from Fort Sully to Fort Benton, and had assumed control of Indian affairs in that country, and had determined that the Assinaboines should have no goods this year, for the reason that he had been informed that parties of them had smoked with the Sioux of the Mississippi.

At Fort Berthold I found Captain Dimon in command of the post. He held a long council with the chiefs, after my arrival, at which I was not permitted to be present. I was not permitted to talk with the Indians except in his presence. All trade had been stopped except by persons representing the sutler of the regiment, (1st United States volunteers.)

I passed on to Fort Union, where I found matters in the same condition. After remaining at that place a week, I was told the military authorities no longer claimed control of Indian goods, but the Assinaboines already understood that they were to have no goods, and it was too late to get them to the fort.

I was quite sure, from the past course of General Sully, commanding this military district, that he was not aware of the interference of the commanders of those posts, and the error was speedily corrected, so soon as he was able to communicate with them. Other men are to be left to garrison Fort Berthold, and I have no grounds to fear any further interference by the military authorities.

General Sully has at all times shown a willingness to afford me such assistance as was in his power. I have never had any intimation that he

claimed control of the civil affairs of my Indians. In view of these facts I did not deem it of sufficient importance to warrant any special report on the subject, deeming it sufficient to make a full statement of the facts in my annual report.

I did not distribute goods to the Indians, for the reason that I was unable to get to the Crows and Assinaboines. The goods are still at Fort Union. On the receipt of the goods I found I had goods invoiced at seven thousand eight hundred and ninety-nine dollars and twenty cents, (\$7,899 20,) when last year the value was ten thousand nine hundred and ninety-one dollars and sixty-four cents, (\$10,991 64.) The price at which they were furnished this year was very nearly double that of last year.

Last year they came to me in two separate shipments, and I supposed there was another shipment for this year. I left Fort Union expecting to meet the boat with the goods and have them landed at Fort Berthold, saving the expense of transportation back from Fort Union, all goods being shipped to me at the latter fort. I came down here, getting no intelligence of any more goods.

After my arrival here I wrote to Superintendent Albin, inquiring after the missing goods, but have received no reply. Hence I am led to believe there are no other goods for my agency.

The second shipment for last year I gave to the Indians at Fort Berthold, and intended to do the same this year, thereby avoiding the necessity of breaking any packages.

I will, if possible, get to Fort Union, divide the goods, ship a portion to Fort Berthold and distribute them, knowing I must fail to satisfy the Indians as to the amount of the goods.

Very respectfully, your obedient servant,

MAHLON WILKINSON.

HON. NEWTON EDMUNDS,

Gov. and Ex-officio Sup't Indian Affairs, Yankton, D. T.

No. 73 R.

VERMILLION, DAKOTA TERRITORY,
September 5, 1865.

SIR: In your letter of September 4, my attention is called to a law of Congress requiring Indian agents to reside with their tribes, and requiring of me a report of the reason why this law should not be complied with in my case.

In pursuance of your request, I have the honor to state that the Crows and Assinaboines have not been to either of the posts, within the country occupied by the Indians under my charge, within the present season, nor is there the most remote probability of their coming to them.

The Arickarees, Gros-Ventres, and Mandans, during the season for raising and harvesting their corn, remain at Fort Berthold. So soon as their crop is secured they go to winter camps, remote from the fort, the better to procure a sufficient supply of young cottonwood trees, on which they subsist their horses, having no fear of Sioux at that season. Thus I am unable to reach or even communicate with the Indians in their tribal relations.

It is my intention to return to Fort Berthold soon and look after the disposition of the Indians, as well as to make, if possible, some distribution of such goods as I have.

Having no agency buildings, and but a very limited supply of goods, I have very little control of the Indians.

So soon as suitable buildings are erected, I am anxious to reside in the Indian country with my family.

Very respectfully, your obedient servant,

MAHLON WILKINSON,

U. S. Indian Agent, Upper Missouri Indians.

Hon. NEWTON EDMUNDS,

Gov. and Ex-officio Sup't Indian Affairs, Yanceton, D. T.

No. 74.

DAKOTA TERRITORY,

Executive Office, Yanceton, September 13, 1865.

SIR: I have the honor to enclose herewith the annual report of United States Indian Agent W. Wilkinson, of the Upper Missouri agency.

The information conveyed, that those Indians desire to treat directly with the government, I have no doubt is true, as it agrees with many verbal statements I have heard from others on this subject; and it occurs to me that it will be found greatly to the advantage of the government to treat with the whole tribe or tribes when practicable, as in so doing the masses, having taken part in the proceedings, not only thoroughly understand the provisions and agreements merely, but feel bound (as a general thing) to carry out the provisions of the treaty.

Should the commission now on the way to treat with the hostile Indians of the upper Missouri be unable to reach the country occupied by these friendly Indians, in consequence of the lateness of the season, (which I think probable,) steps should, in my opinion, be taken to treat with them in the spring; and, to this end, Congress ought to make provision at its next session.

You are aware that under the treaty of Laramie, under which these Indians are now receiving aid from the government, in consequence of the expiration of the time, no provision can be made for these tribes for next year. I regard it as very important to the interests of the government that some special provision be made for them, under these circumstances, until such time as will enable the government to consummate a more full and perfect understanding with them for the future; and, to this end, in case their numbers are not overestimated, an appropriation of one and one-half to two dollars per head, equal to fifteen or twenty thousand dollars, would be required; all to be expended in clothing, food, and agricultural implements, with perhaps a few yoke of working oxen.

Very respectfully, your obedient servant,

NEWTON EDMUNDS,

Governor and Ex-officio Sup't Indian Affairs.

Hon. R. B. VAN VALKENBURGH,

Acting Commissioner Indian Affairs, Washington, D. C.

VERMILLION, DAKOTA TERRITORY,

September 9, 1865.

SIR: I have the honor to submit this my second annual report.

In my special report of the 5th of the present month I furnished you a statement of the interference by the military authorities with the affairs of my agency; also the reason why the annuity goods were not given to the

Indians under my charge. It is, in my opinion, unnecessary to make any further reference to the subject in this report, feeling confident that no further interference need be apprehended.

The Indians under my charge are, so far as I am able to learn, in good condition and well disposed towards the United States. No report of any hostilities on their part has reached me; and should treaties be made with them next summer no trouble with them need be apprehended.

They wish an agency established, with the privilege of schools for their children, where they may be taught to speak our language. The Crows would prefer an agency in the valley of the Yellowstone, some seventy-five miles above the mouth, but would consent to go on the north side of the Missouri river, where, in my opinion, an agency should be established.

The increasing travel, and the hostility of the Sioux, contribute to make this course the more necessary. There are under my charge nearly ten thousand Indians; if they were brought together at a good post, where their women and children could be protected during their absence, they would speedily free a large district of country from hostile Sioux.

Permit me to call your attention to the fact that much freight is discharged from boats passing up the river at different points above the mouth of Milk river, and in the country occupied by the Crows, where temporary houses are erected for the protection of the goods, and men left in charge of the goods. There are, in my opinion, very great evils to be apprehended from such distribution of goods and men in the Indian country. Parties of Indians will visit these posts, and are apt to get whiskey in exchange for their horses and peltries. Such unlawful traffic is very apt to lead to hostilities. In my opinion, such goods as boats are unable to get to Fort Benton should be left at some one of the established forts, where the goods may be protected and unlawful intercourse prevented or punished.

In my opinion, treaties should be made with Indians in their own country, so that all may partake of the feasting and solemnities of the occasion. Thus all are bound by it. Then, again, there is in each tribe a band of soldiers, usually known as "the strong-heart band," who have, in many matters of tribal affairs, control of the whole tribe. The chiefs should have an opportunity to act with the advice and consent of that band.

Very respectfully, your obedient servant,

M. WILKINSON,

United States Indian Agent for Upper Missouri.

HON. NEWTON EDMUNDS,

Gov. and Ex-officio Sup't Indian Affairs, Yankton, D. T

No. 75.

CROW CREEK AGENCY,
Dakota Territory, September 5, 1865.

SIR: In compliance with instructions from your office, in circular letter of July 27, 1865, I have the honor to give you a report of the condition of the Indians under my charge, &c., &c., for the month of August.

The Indians under my charge have been peaceful; no disturbances have occurred, and no depredations committed on the reservation, that I am aware of. My relations with the army officials have been agreeable, they always appearing ready and willing to co-operate with me when necessary.

The health of the Indians has been good—rather better, I should think, than during the previous month. Still, I will earnestly repeat the suggestion,

made in my special report of July 24, that the Indians be furnished a physician, or that I be allowed to procure the services of a physician, at such salary as you may designate.

The corn is now hard and I shall soon have it gathered ; the crop will be an average one, I think. In consequence of not having received sufficient supplies of provisions to issue to the Indians, and also the appearance of scurvy and other diseases among them, I issued small amounts of the green corn to them at different times.

At present I am engaged in putting up the hay necessary for the stock the coming winter.

It will soon be winter, which, in this latitude, is generally severe. The Indians are almost entirely destitute of lodges, most of them which they now live in being made of bark, and unless they have something better they must suffer severely during the cold, stormy weather. I would recommend the building of log-houses, sufficient to render them comfortable.

I have the honor to be, very respectfully, your obedient servant,

J. M. STONE,

United States Santee Sioux Indian Agent.

His Excellency Hon. D. N. COOLEY,

Commissioner of Indian Affairs, Washington, D. C.

No. 754.

CROW CREEK AGENCY,
Dakota Territory, October 3, 1865.

SIR : I have the honor to submit this my first annual report as agent for the Sioux of the Mississippi.

Having assumed the duties of agent the 5th day of June last, I take pleasure in bearing testimony to the uniform good conduct of the Indians of this agency since I have been among them. They cherish the most kindly feelings towards the whites, and are desirous to cultivate friendly relations with all neighboring bands of Indians.

Many of the Indians of this agency manifest great willingness to turn their attention to agriculture, and rely less upon the hunt for subsistence. Every inducement that they could comprehend has been offered to them to encourage this manifestation on their part. I cherish the hope of being able, during the coming season, to accomplish much by the aid of Indian labor.

I found upon my arrival here one thousand and forty-three Indians belonging to this agency ; of that number over nine hundred were women and children, dependent almost wholly upon government for subsistence. The limited quantity of provisions placed at my disposal has barely enabled me to issue to the Indians sufficient to sustain life ; indeed, had it not been for the corn (about three thousand bushels) raised this year upon the reservation, many of the women and children would have died from starvation. Buffalo meat in small quantities has occasionally been brought in by the men, but owing to the limited number of horses in their possession they have not the means to transport meat adequate to the wants of their families.

The Indians under my charge possess but fifty-eight horses. I would urge upon the department the economy and necessity of furnishing them with at least fifty more horses and twenty yoke of working oxen ; the horses would increase their facilities to secure buffalo, and the oxen be of great assistance in their farming operations.

One hundred and seventy-five acres of corn have been cultivated, mostly by Indian labor, during the season, yielding about three thousand bushels; two thousand seven hundred of which was issued while in roasting-ear; three hundred bushels have been saved for winter use.

It is to be regretted that the potato crop has been an entire failure this year, owing to the difficulty in obtaining seed in time; the planting was done too late to insure a crop. I hope, by obtaining seed potatoes this fall, to guard against a like occurrence next season.

Fifty tons of hay have been cut and secured for the use of the agency stock during the winter. The Indians have also secured considerable hay for the use of their horses during the winter.

The saw-mill, which I found in bad order, has been so far repaired as to saw lumber sufficient for the wants of the agency.

I would report the employes as faithful and efficient. The mission school, under the excellent management of the Rev. John P. Williamson and his able assistants, Mr. and Mrs. E. R. Pond, is doing much to improve the moral and intellectual condition of the Indians.

I have the honor to be, very respectfully, your obedient servant,

J. M. STONE,

United States Indian Agent for Sioux of the Mississippi.

Hon. N. EDMUNDS,

Gov. and Ex-officio Sup't Indian Affairs, Yankton, D. T.

No. 76.

WASHINGTON, D. C., May 29, 1865.

SIR: I was very glad to learn, from the conversation with you Saturday at the President's house, that there was some prospect of a move on the part of the government towards colonizing all the tribes of Indians who now roam over the territorial domain between Minnesota and Iowa and the Rocky mountains; and that it was intended, with a view to this object, and for the purpose of reclaiming from hostility all those bands that have given us so much serious trouble since 1862, to send out a representative of your department, perhaps yourself, to hold a great council with the headmen of the various tribes somewhere in Dakota or Montana during the present season.

I regard this as a most opportune and judicious move at the present time; for just now the powerful tribes at war with us are either prepared and disposed, if neglected by us, to make new alliances, and pursue with increased vengeance the emigrant and the defenceless settlers, or by a timely and official council with them, representing that we want the country for mining and other purposes which they now so promiscuously occupy in vast areas, and that our soldiers, having no longer a great enemy here to contend with, many thousands of them if need be, could and would be sent against them in a war of extermination, should they not at once bury the tomahawk and accede to the terms of the government. All that is desired may be, in my opinion, thus accomplished, putting a stop to their bloodshed and save millions of current expense to the nation.

I know of no one thing so much demanding the attention of the general government at the present moment as does this great question of disposing of the untamed aborigines of the west; and I am frank to say that the policy of colonizing them on a common and restricted reservation of sufficient dimensions and resources for their subsistence will, if executed now, while

the opportunity is most ripe, prove to be a direct and immediate relief and benefit to both the government and the Indians.

The march of the white man, with the attending civilization, is pressing upon all the tribes of the great territories, both from the Atlantic and the Pacific States ; and without this timely change in the policy and action of the government, which I understand from you, however, is likely to be authorized, continuous and inevitable conflicts must be the result for years to come, or until a war of extermination shall be inaugurated in earnest. Agreeably to your verbal request I have offered these suggestions, and also respectfully submit the following with reference to a suitable place for their territory, &c.:

There is no territory north and west of the Mississippi river not now eagerly sought by the whites for mining, agriculture and commercial purposes, that would in any way suffice for a permanent home reservation for all the tribes proposed to be colonized. Much less is there any of that territory mentioned on which could be kept continually any single tribe ; because, with exception of the country occupied by the small nation of the Crow Indians, there are not the means for their subsistence on the ground. After careful consideration of this subject, therefore, I am fully convinced, from actual experience and observation from year to year, that the suggestions heretofore offered in my official reports to the War Department are the best I can offer in the present instance.

I have marked off from the Territories of Montana and Dakota on a map herewith submitted, a strip of country averaging about sixty by six hundred miles, through which I have twice travelled its entire length on different trails, and which, of all other regions available, is, in my mind, best by far adapted to the uses of the various tribes to be colonized. This reservation so marked off is bounded on the north by the British possessions, east by longitude 24, south by the Missouri river as far west as Fort Benton, thence due west to the base of the Rocky mountains, (or mineral range,) thence northward to the British line; and embraces the Dearborn, Sun, Marias, Teton, Milk, Big Muddy, and other lesser rivers, with their innumerable tributaries ; also the heads of Rivière de Lac and Mouse rivers, flowing to Hudson's bay, and a number of beautiful lakes dotting the prairies.

There is timber along all the streams sufficient for their uses for a hundred years, patches of ground in all the valleys for their corn-plantings, wild fruits of various kinds in the coolies and ravines of the broken portions of the country ; while there is an abundance of buffalo, antelope, deer, elk, with the smaller kinds of game, from the east to the western boundary. The climate is salubrious, and there is no lack of room. The facilities for water communication for the purposes of the government, in connexion therewith, are available, the Missouri river being practically navigable for steamers as high as Fort Benton.

One regiment of mounted men and a regiment of infantry, (commanded by men whose experience and intelligence qualify them for the trust,) distributed equally between Forts Berthold, Union and Benton, and a post at or near the confluence of the Big Horn with the Yellowstone, with a section of twelve-pounder mountain howitzer battery at each post, and with headquarters at Fort Union, if you please, would, in my judgement, afford ample protection to travel, and preserve order on the reservation. It might be found necessary, and I presume it would be expedient at first, to garrison a battalion of troops at a point on Milk river, say just opposite the Little Rocky mountains, or midway between Union and Benton.

At these posts alone, under the protection, restrictions, and closest scrutiny of the military commanders and agents of your department, should there be allowed the establishment of any trading posts, or dealings of any kind with these Indians.

The territory which I have marked out for your consideration is now, and has always been, the home (although a very limited portion of it necessary) of the Assinaboines, the Rees and Mandans, the Gros-Ventres, and the Bloods ; but there is plenty of room for all those who would have to be removed there besides, particularly so when we reflect that for hundreds of miles into the adjoining British possessions the country is unoccupied by any class of settlers or inhabitants along the entire length of this reservation, so that their hunting grounds would, in any event, be all they could desire ; and I am safe in saying that it is the only region of that size, having advantages so peculiarly adapted to the wants of the Indians, which is not now nor never can be craved by the whites for settlement. The mountain range at the western border is alone all that the white man will for many years, if at all, seek to develop, and that for its minerals, which will never be desired or disturbed by the Indians.

I may estimate the whole number of Indians east of the Rocky mountains who could compose this colony at about 30,000 souls, embracing the Crows of the Yellowstone and Big Horn region, the Blackfeet of the Belt Mountain region, the Cheyennes and Brulés, Cutheads and Unkpapas of the Black Hills region, the Yantonnais, Sissetons, Tetons, Medwakapaton and other tribes of the Sioux nation, as those who would have to be gathered together and removed to within said Indian territory ; and I am sure you will find no district that could be pointed out to them so easy of access, or that will be more especially acceptable ; the chief of all reasons being this : that the inroads of the white man into Nebraska, Dakota, Colorado and Montana, have already forced the range of the vast herds of buffalo, upon which they principally subsist, almost exclusively on to that chain of prairies embraced in the bounds of the territory I have indicated.

Assuring you, sir, of my readiness to co-operate with you at any time when my services may be desired in these matters, and hoping I have been able herein to contribute something towards the accomplishment of the arduous and important duties of your department, I have the honor to subscribe myself,

Your most obedient servant,

JAMES L. FISK,

Captain and A. Q. M. U. S. Volunteers.

Hon. W. P. Dole,

Commissioner of Indian Affairs, Washington, D. C.

IDAHO SUPERINTENDENCY.

No. 77.

BOISE CITY, IDAHO, *September 20, 1865.*

SIR: I have the honor to submit to your consideration the result of an extended tour of observation among the Indian tribes of the Territory of Idaho, pursuant to instructions emanating from your department.

First in importance among the Indians of this Territory stands the nation of Nez Percés. Since the expedition of Lewis and Clarke, there has been a powerful majority of this people friendly to the whites. Through the missionary labors of Whitman and Spaulding a Christian church was established among them at Lapwai, the benign influence of which is still felt and operating in the cause of civilization.

The first treaty of peace made with this people and ratified by the Senate, known as the Stevens treaty, for the time being subserved the interest for which it was created. The reservation was secluded and well chosen. The

Koos-koos-kia and the Shoshonee abounded in fish, and the mountains with game, and annual hunting expeditions of the braves and their families passed through the gorges of the Bitter Root mountains to the buffalo hunting grounds, at the headwaters of the Missouri and Yellowstone, some five hundred miles from their tribal homes west of the Rocky mountains, and returned laden with pelts of the buffalo for lodges and their meat for food.

Their intercourse, except when assisting the United States in their difficulties with the Cayuses, the Umatillas, and the Spokanes, was confined to barter in peltries with the Hudson's Bay employés, who, out of motives of policy, were just, at least, to these children of the forest. But with the discovery of gold, followed by the breaking out of the rebellion, all was changed: their reservation was overrun by the enterprising miners, treaty stipulations were disregarded and trampled under foot, towns were established thereon, and all the means that cupidity could invent or disloyalty achieve were resorted to to shake their confidence in the government. They were disturbed in the peaceable possession of what they regarded as their vested rights, sacredly secured by treaty. They were informed that the government was destroyed, and that whatever treaties were made would never be carried out. All resistance on their part proved unavailing, and inquietude and discontent predominated among them.

A treaty had been negotiated by Superintendent Hale, which still remains unconfirmed by our government—the white settlers insisting on the terms of the new treaty, and the Indians still clinging to the old; and it was difficult to convince these simple children of nature why a government so strong and powerful as they were taught to believe ours to be would allow the rights of its red children to be disregarded by the whites, unless the government had been destroyed. In the negotiation of the Hale treaty the Nez Percés became divided. The opposition, known as the Heathen party, headed by Big Thunder, Red Horn, White Bird, and Eagle-against-the-Light, were in favor of joining the Blackfeet and Crows, from the eastern slope of the Rocky mountain, in a raid against the overland mail route, and to secure for themselves wives for their warriors and skins for their lodges. The nation, being possessed of a large number of horses, and incited by a natural ardor for active life, and by what they regarded as oppressive inroads upon their rights by the white men, the opposition gained strength and power and influence with the nation; the military stations were feebly garrisoned; our people felt insecure and unsafe, and daily applications were made and transmitted to the capital for protection from the threatening aspect of the times.

Affairs stood in this attitude when the undersigned was intrusted with the superintendency of the Territory. Measures to reassure our people, and to allay the turbulent spirit of the strong opposition in the ranks of the Nez Percés, became of the first importance. To this end, frequent interviews were had with the leaders of the Heathen as well as the Christian party, the chief recognized by the United States being A-sha-lote, known to the whites as "Lawyer," and Captain John, and Utae Melican, the two subordinate chiefs. The grievances of the Nez Percés nation were set forth by a speech from Lawyer, which was reported by the undersigned to the department. In my answer to his complaints I pleaded the good faith of the government to all its treaty stipulations, which the Indians claimed (and not without cause) had been repeatedly and continually violated. I urged upon them the necessity of loyalty to the government and forbearance to the whites, no matter what their provocations were, and assured them that their grievances should be redressed and their wrongs righted.

Their condition was, indeed, anomalous. Appropriations had not been made to carry out the old treaty stipulations, and the new one had not been con-

firmed on our part, and only by the most strenuous exertion and the most solemn assurance could they be induced to break off their league with the Crows and Blackfeet. Thus far they have kept the compact in good faith, and no doubt will continue to do so so long as they are fairly dealt with.

The depredations of the whites upon their reservation are a continual source of annoyance and irritation. The difficulty of enforcing the non-intercourse act in portions of the reservation, and the destruction of their timber, without the authority of law, have been such as to induce them to urge a new council to make a new treaty and place their affairs on a more permanent foundation, in consonance with things as they now exist, made necessary by the rapid settlement of the Territory. Having no special authority to meet them in council, the undersigned could only assure them of the good intentions of our government, and that their wishes should not be neglected. It is important that some treaty should exist between the parties, and when entered into, if faithfully observed, it is the safest guarantee for peaceful relations between them and the whites.

Progress in the peaceful pursuits of life, and the relinquishment of their nomadic habits, seem to be slowly, but surely, gaining ground. This is evidenced by the quantity of flour which has been manufactured at the government mill at Lapwai from wheat grown by themselves, which, during the past season, amounted to twenty thousand (20,000) bushels. The implements of husbandry with which the munificence of the government has supplied them are usually employed and appreciated, and the kind and enlightening missionary's labor is witnessed in the semi-daily devotion of the Christian portion of the nation, in a simplicity and earnestness of worship that would reflect credit upon the most refined civilization.

The condition in which the agency was found I have previously represented to the department. It was not such as seemed to me well calculated to carry out the purposes of the government, and the changes that have been instituted, there is great reason to believe, will be both wholesome and salutary.

The number of Nez Percés is variously estimated at from three to six thousand, but their nomadic life, and the wide range of their hunting-grounds, make it difficult to determine without a precise enumeration.

According to instructions, about the middle of September, 1864, I proceeded north, crossing the valley of the Palouse, the valley of the Lah-toh, and the valley of the Spokane, to Cœur D'Alene, and held interviews with Indians of those different tribes, and also with several belonging to the Kootenai country. The mining prospector has penetrated all these fastnesses, and when his own animals have given out he has too often seized upon Indian horses, without payment therefor, to pursue his journey. This is the frequent commencement of more flagrant outrages, which have too often ended in murder, retaliation, and war.

For the better protection of the settlers who have already penetrated into the Indian country, and are now settling in the valleys I have just named, an agency should be located at Cœur D'Alene, in which one of the energetic fathers of that mission might be made superintendent of instruction, and great good accomplished in the protection of the rights of the white settler, and future difficulties avoided. The Indians, with few exceptions, are friendly to such a course. By the extinguishment of the Indian title the enterprising whites feel more assured that their rights will be respected, and they live upon much better terms in their intercourse with the aborigines. A mill for grinding flour, a saw-mill for cutting logs, a blacksmith, and a farmer, with a superintendent of instruction and one assistant, directed by an intelligent agent, would do more to keep peace in that portion of our extended domain than regiments of soldiers. In this manner two million acres of the

finest grazing land in the world, with mountains abounding in the precious metals, would be thrown open to those who conscientiously decline becoming squatters in an Indian country where the title remains unextinguished. The reservation could be confined to some hundred thousand acres immediately around the mission of Cœur D'Alene.

Pursuant to instructions, I held interviews with the Boisé Shoshonees, a tribe formerly occupying the valley of the Boisé river, and believing it for the interest of the government I made the enclosed memoranda of a treaty accompanying this report, marked A. I respectfully recommend that a temporary reservation be allotted to them upon the Boisé river, which is shut out by hills, and would preserve them, more or less, from intrusion by the whites. They have become poor, and, at best, a few years will wipe them out entirely. The lands which they have ceded includes, mountain and valley, some seventy millions of acres, and that upon the terms on which the United States have treated with the most favored Indian tribes. The treaty gave satisfaction to the settlers, and I respectfully ask (the blanks being filled as to what amount the Indians should receive by the Senate) that it be confirmed. It was witnessed by Colonel R. T. Maury, commandant at Fort Boisé, and Major Truax, commanding Fort Lapwaii. It was executed between the undersigned and San-to-me-co and the headmen of the Boisé Shoshonees on the 10th of October, 1864.

According to instructions, I visited the great Kammas Prairie tribe of Indians. They amount to some two thousand. I assured them that by aiding emigrants on that great Shoshonee valley route, and refraining from depredations, the United States would guard their interests and protect their rights. Thus far they have lived up to their promises, there having been fewer outrages for the last year than ever known before. The couse and the kammas, two edible vegetables upon which they have subsisted, the salmon in their rivers, and the game on their hills, are all being destroyed by the settlements of the white man, and I earnestly desire that an agency be located near Little Kammas prairie for the winter, and a reservation in summer-time on the banks of the Shoshonee of some forty thousand acres, where these Indians may be gathered together from southern Idaho and cared for by treaty stipulations, as a matter due to Christianity and justice.

I have not mentioned the smaller tribes or bands which I visited.

I hope the department will approve of the recommendation for gathering upon these two additional reservations the Indian tribes now existing within the limits of the Territory of Idaho. It is with them a question of stealing or starvation, and of so vital interest that your attention is earnestly directed towards its consideration. If they can be protected and instructed for a few years, some moiety may be civilized and saved as an integral portion of our nationality; if not, the crimes and devices of bad men will sweep them as dust before the whirlwind of their energy and their passions.

RECAPITULATION.

It is recommended that a new treaty be made with the Nez Percés, by which the rights of the Indians may be preserved, and those portions of the reservation upon which the whites have settled be turned over to the general government as public domain.

It is recommended that an agency be established at Cœur d'Alene for the better protection of the agriculturists now settling in Palouse, Lah-toh, Spokane, Kootenai, and Cœur d'Alene valleys, and the civilization of the Indians thereof.

It is recommended that a treaty be made and a reservation established in southern Idaho, on the banks of the Malade or Shoshonee river, for the better

protection of the settlers on the Great Kammas prairie and the travellers over the emigrant road along the valley of the Shoshonee.

All of which is respectfully submitted for the consideration of the department.

CALEB LYON, OF LYONSDALE,
Governor and Ex-officio Sup't Indian Affairs, Idaho.

Hon. JAMES HARLAN,
Secretary of the Interior.

No. 78.

DEPARTMENT OF THE INTERIOR, OFFICE INDIAN AFFAIRS,
Washington, D. C., September 22, 1865.

SIR: By direction of the Secretary of the Interior you are hereby authorized and instructed to hold a conference with the Great Kammas Indians and the Indians of southern Idaho, and, if possible, to negotiate a treaty with them, establishing permanent peace between them and the United States, and providing for their settlement on a permanent reservation at some point upon the Shoshonee river, embracing the fisheries on said stream, and a summer reservation in the vicinity of Great Kammas prairie, and embracing a cession from them of all other lands now claimed by them, and agreeing, in behalf of the United States, to establish a permanent agency with the said Indians and to provide them with a farmer, blacksmith, miller, and teacher, and to erect for their use a grist-mill and saw-mill, and suitable agency buildings, and also to pay to them, in consideration of said cession, a reasonable sum in agricultural implements and other useful articles, live stock and improvements.

For your guidance you will find herewith copies of instructions recently given to the commissioners sent to negotiate with the Indians of the upper Missouri and those of the Indian territory and upper Arkansas, and a copy of a letter recently written by this department to General Pope, indicating the policy which should control the Department of the Interior in establishing treaty relations with the Indian tribes.

You are also authorized and instructed to hold a council with the Spokanes, Cœur d'Alenes, Kootenais, Lah-tohs, and other Indians south of the British possessions and west of the Bitter Root mountains, on the terms and for the purposes indicated above, and to negotiate a new treaty with the Nez Percés, in accordance with these general instructions.

Should you deem it advisable you may associate with you in the negotiation of any of the above contemplated treaties any military commander being in the Territory, or any one or more Indian agents that may be present, or such other persons as your judgment may approve.

Should you deem it advisable, to send Agent O'Neil, on your return to Idaho, to the Cœur d'Alene Indians, and others in the northern part of the Territory, to obtain information in regard to those Indians, preliminary to a treaty with them, you are authorized to do so, after he shall have filed a bond satisfactory to you and certified by the United States district judge or district attorney as sufficient; and in case of the absence of Agent O'Neil under your directions, you will provide for the temporary charge of his agency.

If in your judgment it is necessary for the better administration of Indian affairs in Idaho that one or more special agents should be appointed to assist you in your duties, you are authorized to appoint such agents, being careful in their selection, limiting them by definite instructions, copies of which should be forwarded to this office, and fixing their compensation at a rate not to exceed \$1,500 per annum for the time employed.

Your attention is especially invited to the instructions forwarded some time since to all superintendents and agents requiring a monthly report to be made of the general condition of the Indians under their charge. This report need not be lengthy, unless the particular circumstances of the case require it, but this office desires to be in frequent communication with the superintendents and agents, especially with those whose field of duty is west of the mountains.

Very respectfully, your obedient servant,

R. B. VAN VALKENBURGH,

Acting Commissioner.

CALEB LYON,

Governor and Ex-officio Superintendent, &c.

No. 79.

OFFICE NEZ PERCÉS INDIAN AGENCY,

Lapwai, July 9, 1865.

SIR: I have the honor herewith to submit my second annual report of the condition of affairs of this agency.

Since my last report I am happy to say, that as regards the respect and friendship which have always been shown to the whites by the chiefs and headmen of this people there has been no change, although they have many things to complain of, the first of which is the failure of the government to comply with the treaty stipulation in regard to the payment of their annuities, the last payments made them being in November, 1862, \$6,396, and at the time of the treaty council in June, 1863, \$3,600. They do not grumble so much on account of their absolute want of their goods, although many of their old people are in a suffering condition, but it is with the desire of doing away with the reports that are continually being circulated by the Big Thunder or non-treaty side of these Indians. From the day the treaty was first made by Governor Stevens and General Palmer, in 1855, up to the present time, this non-treaty side have told the others that their lands would be stolen from them, and that they would never receive anything in return. The payments in 1861 and 1862 silenced that side for a time, and was working a beneficial influence through the nation.

However, since that time the non-arrival of further supplies and the great influx of miners throughout the whole reservation gives the non-treaty side another chance to throw up the matter to the treaty side. The chiefs, however, remain firm and unwavering in their devotion to the government and to the laws. They are intelligent—their head chief, Lawyer, particularly so—and tell their people to still wait patiently; that we have a war on our hands that requires the attention of the government more than their wants; that they will yet receive their annuities, and all that has been promised them; but the greatest difficulty with them is this: they know that the government will keep faith with them, but the arguments used by the other side are powerful enough to induce many, very many, of their young men to go over, and the opposite side is becoming formidable. That grieves them more than the want of their annuities.

I trust that the matter may be so represented to the department that there will be no further delay in their payments.

Another cause of complaint with them is the tardiness shown in the payment for the horses furnished and services rendered government in the Indian war of 1856. In the treaty council of June, 1863, the matter was brought before Commissioners Hale, Howe, and Hutchins; and article seventh of said treaty provides as follows:

"The United States further agree that the claims of certain members of the Nez Percés tribe against the government for services rendered and horses furnished by them to the Oregon mounted volunteers, as appears by certificates issued by W. H. Fauntleroy, acting regimental quartermaster, and commanding Oregon volunteers, on the 6th of March, 1856, at Camp Cornelius, and amounting to \$4,665, shall be paid to them in full in gold coin."

In addition to the above, many of their warriors served with the volunteers through the war, for which they have never received nor asked a dollar.

Still another cause of complaint is the pay due their people for work done on the church last fall, amounting to \$1,185 50. At one time during the winter the thing was becoming serious; some of the laborers (those from Aashotan) said they had been promised their pay upon the completion of the walls. The walls were now up, and as they did not receive their pay they should tear them down again. They, however, took a sober second thought and gave the matter up.

Our complaints are, the usual attendants upon a reservation placed as this is, with more whites upon it than there are Indians, all the mining camps and towns having some wretches whose only means of support are the few bottles of whiskey sold the Indians; daily collisions between whites and Indians in regard to stock or their little farms; a reservation with the capitol of the Territory located upon it, where laws are made every winter in direct violation of the United States intercourse laws governing the Indian country, and the agreement made with these Indians in the treaty, and these same laws approved and signed by the governor, who is ex-officio superintendent of Indian affairs, causing a doubt in the minds of the Indians as to whether their superintendent has come on to look after them, or whether he is assisting the whites in getting the balance of their country. There is hardly a week passes by but what complaints of some sort are made, the result of laws passed by the legislature, or made by county commissioners.

In all of my operations since the new year I have felt the want of funds, and many necessary things have suffered on that account. With the funds that are appropriated paid promptly in the hands of the agents at the end of each quarter, or still better to have them in advance, the efficiency of the service would be much enhanced and greater economy practiced in the purchase of supplies needed, saving from 25 to 50 per cent. on all purchases. Many articles actually necessary cannot be purchased on credit at all. The employés would take a much greater interest in their work for government if they were sure of receiving their pay at the end of the quarter, or even at the expiration of six months. The head chief, Lawyer, who ought never to be allowed to wait one day after the expiration of the quarter for his pay, has now due him as follows: 4th quarter 1863, 1st and 2d quarters 1864, and 1st and 2d quarters 1865—in all, \$625. Lawyer's duties, as head chief, compel him to live here at the agency; his family consists of himself, wife, son's wife and two children, and daughter and one child, with other Indians coming and going constantly. I know that within the last six months he has actually suffered for the common necessities of life, and had to dispose of his vouchers for 50 cents on the dollar to purchase such necessities. It is a shame to treat him so; when his chiefs and his people are complaining to him of the want of their annuities, he always has some excuse to make them for our shortcomings.

Our farming operations this season do not show as well as I wish they did. Crickets, worms, and grasshoppers have almost used us up. Some of the Indian farms, especially those on the "Elpow-a-wai" that were not destroyed by the high water last winter, have since been ruined by the worms and crickets. On the north side of the Clearwater the crops are

good, and also at the Kamiah and above there, on the Lapwai, some of their farms are good, others totally destroyed; while on the Elpow-a-wai, Elpah-hah, Ashtotan, Snake river, and Salmon river, there will not be one-quarter of the usual amount raised. The Indians are already laying in an unusual quantity of camass for their winter provision. Last spring I procured between four and five thousand cuttings from grafted fruit, assorted, and started a nursery at this place; the worms have destroyed some four or five hundred roots, the balance are doing finely, and will be ready to distribute to the Indians next fall. We have yet some four or five thousand seedlings to graft, besides several thousand healthy looking locusts from two to eight feet high. I have also one hundred sweet-potatoe plants doing well, and which bid fair to produce something in the fall.

Our grist and saw mills need some overhauling. Mr. Hale, our wagon and plough maker, besides being an experienced millwright, reports the necessity of a shaft and pinion. I shall have to send to Portland to get them cast, and, if possible, on credit.

The saw-mill needs a new sash and carriage-way. The sawyer is now up the river procuring the necessary timber; he will not be back in time to render his report. Not having funds to purchase logs last spring, I sawed on shares about 30,000 feet, not being able to get any more at that time. I will have no difficulty, though, this fall in getting all I want to saw on the same terms. The blacksmith and carpenter shop are in good repair; some materials are needed for each shop, which I shall purchase as soon as funds are on hand.

Our supply of medicines became very low. We had not the commonest sort required for Indians, and for months had been supplied at the hospital at Fort Lapwai, until the commanding officer gave orders that no more should be issued to Indians. I was then compelled to purchase a supply in Portland.

In my report last year I called your attention to the improvements suggested by Mr. Whitman, the then superintendent of farming. Mr. Thatcher, the present superintendent, makes the same suggestions. I would respectfully ask that directions be given me to dispose of the oxen in some manner, either by sale or trading; they are not increasing, but deteriorating in value every day.

In the report of Mr. Spaulding, superintendent of teaching, there are many things worthy of consideration. We cannot expect the school to prosper, nor scholars to attend from a distance, unless some place is provided for them. The department has a wrong idea of this reservation. It is not like most of the reservations of this coast, with all the Indians congregated near the agency buildings. There are but three bands, and they the smallest in the nation, (the children numbering probably fifteen or twenty that could attend school,) that could conveniently send their young children every day; the rest are located at from three miles to seventy-five or eighty from the agency.

I have had nothing done to the church since last fall; the wall on the east side, as I wrote you in March, will require rebuilding. The time of Mr. Hale, the only person who understands stone-laying, has been so much occupied that it was impossible for him to attend to it, and unless specially instructed I did not like to engage a regular stone-mason to do this job. I would like you to give me the necessary directions as to the roof, whether hip or otherwise, and also as to what it shall be covered with, whether shingles or tin.

The latter part of last January we were visited with a very heavy rain; the Lapwai in four hours rose about ten feet, carrying everything before it; our loss was about 2,000 feet of sawed lumber, a batteau, and the washing away of the good part of one of our fields.

Accompanying this are the reports of Mr. Spaulding, superintendent of teaching; Mr. Thatcher, superintendent of farming; Mr. Hale, wagon and plough maker; Mr. Latimer, carpenter; Mr. Misinger, blacksmith; and Mr. Miller, grist-miller; all the employes are efficient and faithful in the discharge of their duties. To Captain Mathews, commanding Fort Lapwai, I am under many obligations for assistance rendered me when needed.

Very respectfully, your obedient servant,

JAMES O'NIEL,

United States Indian Agent, Nez Percé Agent.

His Excellency CALEB LYON,

Governor and Ex-officio Superintendent of

Indian Affairs, Boise City, Indian Territory.

No. 80.

OFFICE NEZ PERCÉ INDIAN AGENCY,
Lapwai, August 3, 1865.

SIR: I have the honor to transmit the following information which I have just received from Metat Uchras, or Three Feathers, one of the leading chiefs of this (Nez Percé) nation.

Three Feathers left here last August for the Flathead country. Upon his arrival there, some of the Flatheads had just come in with two of their people, wounded in an engagement with the Snakes. He found the Flatheads had quite a number of horses that had been stolen from the whites. He remained there but a short time, and left for Stinking Water; from thence to the Vermillion ground, where he was to meet Eagle-from-the-Light, and his band of Nez Percés. While there, eight white men came up and accused the Nez Percés of stealing ten horses from them; they denied it, but told them where they might find them among the Flatheads. The whites then left, but returned again the next morning and killed one of the Nez Percés, a Lapwai Indian, brother of Te-a-po-o-hike. Soon after the Nez Percés broke camp, and while on their journey met some of the young men (Nez Percés) with twelve horses that they had stolen from the Crows. Three Feathers tried to get them to take them back, but they would not until he asked the assistance of some of the Flatheads with them, when they took three of the best ones and returned to the Crows, so that the Crows would have no excuse for stealing horses from them.

Soon after they came to a camp of friendly Crows, at the forks of the Beaver Head and Sun rivers. In a day or two they had a talk with ten chiefs of the Crows, and learned from them that they had just returned from a ten days' fight with the Sioux, in which the Sioux were victorious. They said they would be compelled to remain friends with the Nez Percés, to get their assistance in fighting the Sioux. They had now been fighting the Sioux for six years, and were almost poverty stricken, and they did not wish to be made slaves of by the Sioux. As they expressed themselves, the war fires had been set burning by White Horse, one of their chiefs, who had been wounded by the Sioux seven times, the wife of White Horse having gone over to the Sioux, and they refusing to give her up.

Many of the young people of the Crows were dying off. A few days before the Nez Percés joined the Crows, a train of four wagons had halted to get their dinner, and two young Crow men came up to them, and while hanging around the camp one of them picked up a piece of bread and ate it, when the whites shot them both. As soon as the news came to the main camp of

the Crows they started for the scene, but the whites had left and abandoned everything, (provisions, oxen, and wagons.) The Crows took what loose stuff there was left, refusing to kill the oxen, although requested to by the Nez Percés, as they were out of meat.

Soon after this occurrence the Sioux saw a train of ten wagons approaching; they concealed themselves with the exception of four men, whom they sent to see if they could trade with the whites. One of the whites tried to take one of the Indian's horses, when the concealed ones went to the assistance of the four, and killed all of the whites with the train, with their lances.

Last summer many of the Blackfeet died with the small-pox. The Blackfeet supposed it was brought among them in the blankets which they got from the whites. They attacked a train consisting of four wagons, commanded by six Americans, three Frenchmen, and one negro, murdering all of them. One of the Blackfeet chiefs of the Regan band, named Little Dog has always, until this spring, been a firm friend of the whites, but his people have at last compelled him to come over and, as Three Feathers expressed it, "they led him like a horse." It is the determination of all the different bands of Blackfeet to wage war against the whites. The Crows, however, will remain friendly, and it was their desire that this band of Nez Percés, under Three Feathers, remain with them and join the whites against the Sioux.

Three Feathers says he claims no credit for what he said to the Crows to induce them to remain friendly with the whites, but it was caused more by the friendly reception accorded some Crow chiefs, and the valuable presents given them by some whites at Fort Union last summer. Three Feathers returned to his home last week, having been among the different bands above named about eleven months, and I think his statement can be relied on.

Very respectfully, your obedient servant,

JAMES O'NEIL,
U. S. Indian Agent, Nez Percé Agency.

Hon. W. P. DOLE,
Commissioner Indian Affairs, Washington, D. C.

No. 81.

MONTANA SUPERINTENDENCY.

OFFICE FLATHEAD INDIAN AGENCY,
Jocko, Montana Territory, October 15, 1864.

SIR: I have the honor to inform you that, prior to the expiration of the last quarter, I visited the reservation school for personal inspection of the system pursued in conducting it, the course of study, the progress of scholars, &c., and I herewith submit to you the results of my examination and my action thereon. This school has been in charge of the Fathers of St. Ignatius mission, a Jesuit establishment, located on the reservation, sixteen miles distant from the agency. Father Urbanus Grassi, the superior of the mission, held the appointment of instructor, at a compensation of eighteen hundred dollars per annum. The school was first organized on the 26th August, 1863, and in my letter of general instructions to him of that date, accompanying his appointment, he was advised that the treaty with these Indians purposed the school for agricultural and industrial instruction, as well as for the tuition of the Indian youth in the elementary branches of written knowledge. The labors of the teachers have only extended to the latter branch.

From information furnished me by the instructors, it appears that when the Indians are at their homes—that is, encamped around the mission—there has been an attendance daily of classes of about forty scholars—children ranging in ages from five to sixteen years, chiefly boys, who were exercised for one hour in the morning and one hour in the evening (Tuesdays and Sundays excepted) at the English alphabet. Not always did the same children come regularly and continuously, for, as the novelty of learning gave way to the reality of the task, some dropped away, giving place to a fresh lot with curiosity to be appeased, making a continuous round of new applicants for the instructor's art.

The school being a day school, the students of course boarded in their respective families, and when such families moved camp to their hunting, fishing, root or berrying grounds, the scholars moved off with them, and soon forgot what little shadow of learning they had acquired, and on their return were as raw as at the beginning. At the time of my visit, most of the camp were absent in the mountains hunting, and the school was very slimly attended. The afternoon class being called, I found but seven students assembled, but was assured by the good father instructor that the morning class was always larger, as the pious youths were attracted by a fifteen-minute exercise in catechism as part of their school exercise. An examination of the class showed one half-breed boy to be able to spell words of five letters and pronounce them tolerably accurate. He, however, had had the advantage of a year's tuition before he joined the reservation school. The other six recited the alphabet from a book, not, however, without being prompted each letter by the master. This was very discouraging, and certainly most unpromising, but the fathers explained that their most advanced pupils were unfortunately absent at the hunting grounds. They stated that out of their entire classes since their tuition commenced they had twelve who knew the alphabet, and of these twelve five could spell and pronounce words of two letters. With a view to determine how firmly even this little erudition was ingrained in the twelve, I inquired if I should suddenly drop into their camp with a book and ask them promiscuously to tell me their letters; could they do it? The priests thought not; it was only in the school-room that their proficiency could be remembered. So the result of this inspection shows that with thirteen months' labor of the instructors, at a cost to the government of over \$2,000, with all the influence that the priests profess over these tribes, urged with all their zeal and philanthropic purpose, they have not been able to make a single Indian learn the letters of the English alphabet. I therefore regard the school as a failure, and to continue it would be a purposeless and futile waste of public money, and have accordingly ordered the discontinuance of the school and a stoppage of all expenses on account of it. Another system can be introduced for establishing a school for these Indians, which experience among other tribes has proved good, and there is every supposition for success here; that is, conducting it on the boarding system. Let sufficient buildings be erected for dormitories, refectories, school-rooms, barns, sheds, &c., and let land be fenced and broken, and furnish the school with requisite stock, teams, tools, seeds, &c., and cause the instructions to be mainly in the industrial branches. That farmers can be made out of these Indians we have evidence enough; and possibly by degrees, after industrial habits have been acquired, some can be induced to learn the simple portions of the mechanical branches. With the proper appliances furnished, let a selection of pupils from the tribes be made—say two dozen of the most likely intelligent lads, from twelve to fifteen years of age—suitably clothe, house and board them, and remove them as far as possible from the idle examples and influences of their kindred, and place them wholly under the authority of their instructors. After the first expenses of such establishment are paid, I have no doubt the school would be self-sus

taining. The products of the school farm would be sufficient for the sustenance of the scholars, and a surplus for sale could reasonably be expected wherewith to purchase a few indispensables for the table that the farm could not produce. The clothing, blankets, and tools can be furnished from the annuities at this agency. This system can be inaugurated without application to the government or Indian Office for additional funds, as I have in my hands (September 30, 1864) of public money, accumulated by past economy of appropriation for pay of teachers, \$1,660 04, and for support of schools \$530, which together with the half year's appropriation for pay of teachers to December 31, 1864, and for support of schools same time, \$1,050, and \$1,050 estimated appropriation for the first half year 1865, will make the aggregate amount of \$4,290 04, which sum I deem sufficient to accomplish this outfit. I regard, however, that I should have special authority from your office to so invest these funds. Of course, success in the matter depends entirely upon the tutors selected to carry out the designs of the government. I am of the opinion that the missionaries resident among these tribes are better calculated to be successful in that capacity than any other persons that could be selected. I have reason to believe that you concur in that opinion. But in such an appointment an obstacle intervenes which I conceive to be within your province to obviate. If the Fathers assume this charge, they would require that the school should be at their missionary establishment, and as the treaty provides that the reservation school shall be located at the agency, I could not direct any expenditures there unless duly authorized by your office. Naturally, the agency is the proper place for all the public buildings, for there reside the farmers, carpenters, blacksmith, and other artisans, whose functions partially are made by law to "assist and instruct the Indians in the several trades," &c.; but the foolish, puerile judgment that located this agency in an unreasonable, inconvenient, and impracticable corner of the reservation, where there is not even soil for an agency or school farm, makes it a necessity that the school buildings, farm, &c., should be at another point, and a location at or near the mission furnishes everything requisite in this respect. In further relation of placing the reservation school in charge of the missionaries, and locating the school buildings, &c., at their mission, I will state, for your complete understanding, that the missionaries claim a section of land for their society, on which is located their establishment. They claim this land under act of Congress, passed September 3, 1850, donating sections of land in Oregon for missionary purposes; and if it is deemed advisable to give them the charge of the school and use a portion of their lands for its purpose, I would suggest the propriety of obtaining from them a relinquishment of as much of their claim as is required before any expenses are incurred thereon. I think I am safe in saying that there will be no charge for the land so occupied, but I am not authorized by them to submit this as a proposition.

I respectfully submit the foregoing suggestions for the consideration of your office, and if regarded favorably I request written instructions—

1st. To locate the Flathead reservation school at or near St. Ignatius mission, on said reservation.

2d. To procure by deed of relinquishment, or other sufficient conveyance, (if mission lands are selected,) land adequate for industrial school purposes.

3d. Authority to use funds appropriated for pay of instructors now on hand, and funds which are or will be appropriated for said purpose, applicable to June 30, 1865, for the opening of farms and erecting the necessary buildings for school.

I enclose to you the annual report of the late instructor.

Very respectfully, your obedient servant,

CHAS. HUTCHINS, *Indian Agent, I. T.*

Hon. W. P. Dole,

Commissioner of Indian Affairs, Washington, D. C.

St. Ignatius Mission, *July 26, 1864.*

DEAR SIR: If all commencements be difficult, much more so is the commencement of an Indian school. The roaming dispositions of these tribes, and, more than all else, the want of food and clothing, brought on partly by their natural sloth, are, I should think, the greatest obstacles to a regular training of Indian children to a steady attendance on their part, and consequently to any showy and ready advancement; for as no measures have been taken until now for a boarding-school on the part of the government, the children must needs be fed by their parents, and consequently must follow their parents, who are continually rambling in quest of food, hunting, fishing, digging roots, and gathering fruits, ever going and coming, and thus procuring an ever-changing set of children, unlearning the following month what they had been taught on the preceding one. It is not, however, that we have come to nothing for all this, and that we have lost entirely our time and our work and our labor; something has already been done which makes us hope for better. We opened our school the 1st of September, 1863, which has been, with a short interruption now and then, continued until the present day, and is never to be closed. The regular attendance is beyond my power to notify; the average attendance is twenty-five children, male and female. They are divided into three classes; the first, the children assisting each other, and spell words of four or five letters; the second spell words of two or three letters; their writing varies as their reading.

In hopes of having a boarding-school, if assisted by you, I have raised, at my own expense, a comfortable building large enough to accommodate twenty children, whom I would have trained to different trades. To try their dispositions, I had them this year for the first time sent to my field, whither they repaired with eagerness, and have done sufficient work to make us believe they would be able, once started, to till for themselves a field and raise wheat and potatoes enough to feed themselves. If they could be retained, some among them could be put to other trades, each according to his natural disposition.

So you see what is hoped is more than what has been effected until now; still, when hope is not groundless, the little that has been done is far from discouraging, and makes us strain more nerve day by day to better the condition of the poor natives that have been intrusted to our care.

Respectfully, yours,

W. GRASSI, *Teacher.*

Mr. HUTCHINS.

No. 82.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
January 7, 1865.

SIR: I have received your letter of the 15th of October last, reporting the result of your inspection of the school taught by the fathers of the St. Ignatius mission, and your action based upon the facts obtained by such inspection.

The suspension of the school is approved, the facts stated by you showing that the good derived by the scholars is wholly inadequate to the expenditure required for its support. As at present advised, I cannot yield my assent to the proposition submitted by you in relation to the establishment of a manual labor school. Before such a school is opened, I regard it as absolutely essential to its success that the farm from which it is mainly to derive support should be opened and in successful operation. When this has been

done, the large outlays incidental to the fencing and breaking of the land, the erection of suitable buildings, and the supplying of the necessary stock, implements, &c., will have been made, and it is probable that with the aid of such appropriations as may be made from year to year the school farm may then be of real value to the Indians. From all the information now here, it appears that there were but thirty-five acres in cultivation at your agency, and that the products are very meagre as compared with expenses which have been incurred.

If a manual labor school were now started, I am convinced that at the present prices prevailing in your Territory for clothing, provisions, &c., the funds now applicable to educational purposes would prove entirely inadequate to the support of the children for any considerable portion of the year, and that the debt created by this deficiency would be increased to the full extent of whatever might be done in the opening of the farm, the erection of proper buildings, the purchase of stock and farming implements, and the pay of teachers and other employes. I therefore conclude that it is impracticable to open the school until the farm is opened and stocked, and the necessary buildings and improvements made. In order that this may be done, and that the Indians may as soon as practicable begin to realize the benefits designed to be conferred, you are directed to prepare and submit to this office a plan for the opening of the farm, embracing full details as to size, its location, the number and character of the buildings required, and such other matters and things as in your judgment may be deemed essential to its successful operation, and you will accompany the same with a careful estimate of the entire cost, making the same as much in detail as may be practicable.

When your report is received, it will be carefully considered, and full instructions forwarded to you in relation thereto. In the mean time it is not considered advisable that any further expense be incurred by you for educational purposes.

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner.*

CHAS. HUTCHINS, *United States Indian Agent.*

No. 83.

OFFICE FLATHEAD INDIAN AGENCY,
Jocko, M. T., January 27, 1865.

SIR: I have the honor to inform you that on the 31st ultimo I distributed to the confederate tribes of Flathead Indians annuities received last fall from the east.

The amount issued is shown in my accounts transmitted this day to your office.

The following is a census of the Indians among whom the annuities were distributed:

Name of tribes.	Families.	Men.	Women.	Children.	Total.
Flatheads.....	63	59	79	121	259
Pend d'Oreilles.....	185	210	244	297	751
Kootenais.....	58	90	89	94	273
	306	359	412	512	1, 283

All the Kootenais were present who were entitled to the benefits of the treaty; but few of the Pend d'Oreilles were absent, and about sixty families of the Flatheads were absent in the buffalo hunting-grounds, and were not expected to return till April. I have reserved their proportionate share of goods to issue to them on their return.

I did not deem it best to issue the agricultural implements to them in mid-winter, as they are not well situated to take good care of them; but I shall make issue of them about the first of March, in season for the spring farming operations.

The Indians were well pleased with their annuities, especially with the arrival of the farming tools. Many of these Indians already have a disposition for agriculture, and the increasing scarcity of game, and its distance from their country, and the dangers from their enemies, the Black Feet and Crows, that they encounter in the chase, and the prospect of obtaining high prices for their products by sale to the whites, will induce the greater part of the bands to settle down and till the soil. At the end of this year you will hear a very good account of the farming operations of these tribes.

When the Indians were assembled I made inquiry what articles they desired for their next annuity. They called for the articles enumerated below.

Very respectfully, your obedient servant,

CHAS. HUTCHINS, *Indian Agent, I. T.*

HON. W. P. DOLE,

Commissioner of Indian Affairs, Washington, D. C.

List of articles of annuity asked for by the confederate tribes of Flathead Indians in Montana Territory.

Work cattle; ox yokes, bows, and ox chains; ticking; brown drilling; blankets, white and colored, 3 points; axes and ax handles, $3\frac{1}{2}$ or 4 pounds; mill and hand-saw files; woollen and hickory shirts; powder and lead; water-proof and military percussion caps, and tobacco.

CHAS. HUTCHINS, *Indian Agent, I. T.*

No. 84.

OFFICE FLATHEAD INDIAN AGENCY,
Jocko, M. T., June 30, 1865.

SIR: In conformity with regulations of the Indian bureau, I furnish you the following annual report of the Flathead agency for the year closing this day:

The confederated tribes of Flatheads continue to maintain peaceful relations with the government and with our citizens. I will state, however, that the traffic in spirituous liquors between the whites and this people, and cases of horse-stealing, both by whites from Indians and Indians from whites, are becoming more frequent, and these evils will continue to increase until convenient courts of justice are established, or until a military force is placed here to be used in the suppression of both these fruitful causes of trouble.

On the 3d of December last I made a first distribution to the tribes of the annuities sent by the department last year, which were received late in October. I postponed the issues to that late period of the

year on account of a very considerable portion of the Indians being absent across the Rocky mountains hunting buffalo, and to give them all an opportunity to be present at the general distribution. All, however, not having returned at that time, I reserved for those absent their respective shares, which I gave to them in April, at the same time distributing the farming implements which were received with the invoice.

The Indians were well pleased with all the articles furnished them, but most especially were they gratified with the large number of ploughs and other agricultural tools they obtained. They were loud in their acclamation of satisfaction over the reception of these articles, and felt that one of their most essential wants had been supplied.

I took occasion of these two assemblages of the tribes to make an enumeration of them, and it being the first time, as appears by the record, that an accurate census was ever made, I was careful to make it full and exact.

The following table will show the population of the Flathead nation:

Nome of tribes.	Families.	Men.	Women.	Children.	Total.
Flatheads.....	144	147	181	223	551
Pend d'Oreilles	226	250	289	369	908
Kootenais	58	90	89	94	273
	428	487	559	686	1, 732

The Flatheads all reside in the Bitter Root valley, to the north of the Low fork. Their head chief is Victor, who is made by the treaty head chief of the Flathead nation.

The Pend d'Oreilles reside on the reservation, which is their original country, and chiefly live in the So-ni-el-em valley, sixteen miles northwest from the agency; Alexander is the head chief of this tribe.

The Kootenais reside at the north end of Flathead lake, just without the reservation. They informed me last spring that they intended to come in and take up farms above Crow river, twenty-eight miles from the agency; as yet they have not done so. Their present chief's name is Eneas, who was appointed to his chieftainship on the 1st of January last. His predecessor, Battiste, and family, were murdered by the Blackfeet last summer on their return from the buffalo country.

The majority of the Kootenais tribe are British Indians, but a camp of them, headed by Michelle, the same who represented the Kootenais at the treaty-making in 1855, and who number about 600 souls, make their winter residence on Tobacco plain, just this side of the boundary line with the British possessions, but obtain their subsistence by hunting, root-gathering and berrying in British Columbia. My instructions from the Indian bureau forbid me from regarding as American Indians any who reside only temporarily on American soil; and as this band use the American side only for winter quarters, I conceive them to be within the purview of the instructions, and did not include them among the annuity participants, or comprehend them in the above enumeration.

All the Indians of this treaty still rely on the chase for the chief part of their subsistence throughout the year; at least one-half of them are at the buffalo hunting-grounds.

The buffalo ranges being within the Blackfeet and Crow countries, who are enemies of this people, their hunts are always accompanied with loss of

many horses stolen by the Blackfeet and Crows, and every year some of their young men are killed by these hostiles. In return, these tribes make their hunting excursions occasions for pillaging horses and killing outlying parties of the enemy.

By the treaty these Indians are permitted to hunt, fish, and gather roots and berries at their accustomed places, and they frequently revert to the promise made them that they should enjoy these privileges unmolested by their enemies, and ask why steps are not taken to punish the Blackfeet for their depredations.

They all express a willingness to respond to any call of the government in assisting to fight the Blackfeet, Crows, or Bannacks. They could turn out 250 warriors mounted and armed with rifles for an excursion of this sort, and their aid, especially as scouts, would be of substantial advantage to troops.

The general health of the individuals of these tribes is good. As no data exist upon which to base a positive statement, I infer from current observation that the Flathead nation is numerically increasing. Hereafter this fact can be obtained more explicitly.

Much attention has this year been paid by these Indians to agriculture; the encouragement that the government has rendered them by liberally furnishing them with tools has caused them to open many farms, and the industry manifested by them in the spring was truly encouraging. They suffered under much disadvantage for the want of seeds, particularly for wheat and potatoes, which articles were enormously high in the spring—in fact, scarcely procurable at any price. The Indians farm in severalty, each one owning his little patch, and enjoying the benefits of his personal labors. This plan is not only the best for the Indians, but it is a necessity in this country, for the arable lands are found only in spots contiguous to the streams, sometimes so small as to furnish room for but one farmer. I estimate that the Indians had in cultivation this spring about 2,000 acres.

The Flatheads have made the greatest advance in agriculture, the Pend d'Oreilles next, and the Kootenais scarcely any. The Indian farms this year, in common with the farms of the settlers, have suffered from an unfavorable spring for planting, absence of rains, and a terrible infliction of grasshoppers and crickets. Not more than one-fourth of a crop will be realized. This is discouraging for a first start, for it is prone to shake the confidence of the Indian in his ability to obtain his sustenance from the soil, and it will cause seed to be scarce and high the coming year.

As I have previously informed your office, I am of the opinion that the Flatheads should be removed to the general reservation. Many citizens have settled in the Bitter Root valley, on the lands conditionally reserved for the Flatheads, and the remunerative prospects for the farmer will cause that valley to be soon wholly occupied, despite the conditions guaranteed by the treaty, thus shutting the Indian within the bounds of his present small fields, and preventing the extension of his farm, at the same time subjecting him to the evils of unrestrained intercourse with the whites. If they were proceeded with rightly, no inconvenience will attend their removal, but it would be injustice to compel them to vacate their improvements without adequate compensation, or improvements of equal value made at their new homes.

I again repeat to you the suggestion, some months since made, that the lands of the reservation suitable for agriculture be surveyed, and allotments of farms made to the farming Indians. This is not the least important measure toward the elevation of these Indians that you could effect from the government.

There is at present no Indian school on the reservation; the one once in operation, in charge of the Jesuit fathers of St. Ignatius mission, not resulting in any success, was discontinued in August last. The department has been advised of this, and it is in contemplation to resume the school upon a more promising basis.

The agency farm has in cultivation this year forty-five acres,—wheat, oats, potatoes, and garden stuffs. The productions from the farm will be merely sufficient for the subsistence of the persons connected with the agency and for hospital purposes. I designed extending the farm so as to raise seeds to furnish the Indians, but the spring season was too late, and the enormous cost of seeds for currency pay deterred me from so doing. Farming in these mountains at the best is very discouraging for yields. In favorable years, at the agency farm, which is, without doubt, the poorest piece of land cultivated in the neighborhood, we cannot count on a yield of more than five bushels of wheat for one sowed; and the liability of droughts, summer hailstorms, and grasshoppers, makes farming precarious.

The buildings of the agency are as yet insufficient for the purpose, but by next season I am in hopes that with only the labor of the regular employes this want will be supplied.

This agency has experienced no little inconvenience in the past year from its not being able to keep the roll of employes filled. A change of subordinates, after they have become accustomed to the Indians and the routine of the service, militates much against the successful conducting of an Indian agency. The government allowance for salaries before the rebellion was ample to procure the service of suitable persons, but the great depreciation of the currency during the rebellion made the value of the wages so small, and in this expensive country so insufficient, that the most desirable men could not be obtained or kept. The high wages that laborers anticipated realizing in the adjacent gold mines resulted to this agency in employment of persons but transiently.

A flouring mill is in process of construction on the reservation. I located it on the Jocko river, adjoining the saw-mill. It will be completed in season for the coming harvest, and when finished it will be an economical mill to run, with capacity to do the work of this reservation for all time. Its construction has been a strong inducement to many Indians to apply themselves to raising grain.

Very respectfully, your obedient servant,

CHAS. HUTCHINS, *U. S. Indian Agent.*

His Excellency SIDNEY EDGERTON,

Governor and Ex-officio Sup't Indian Affairs, Virginia City, M. T.

No. 85.

OFFICE FLATHEAD INDIAN AGENCY,
Jocko, Montana Territory, August 24, 1865.

SIR: In compliance with your letter of the 7th January, 1865, relating to the establishment of an Indian school on the Flathead reservation, I herewith, as directed therein, submit a plan, with estimates of cost, for inaugurating such school, with such suggestions concerning its probable operations as occur to me.

In a previous communication with your office on this subject, I stated it was my opinion that the best promise for success would arise from placing the educational interests of the Indians in charge of the Jesuit Fathers of St.

Ignatius mission, whose establishment is on the reservation, sixteen miles from the agency, and whose location is convenient to the residences of the Indians, and that at their place suitable land for agriculture, with the requisites of wood, water, and grass, all can be found in close convenience. My opinion as to the propriety of placing the Fathers in this charge, and locating the school at their place, is unchanged, and again recommended.

In submitting to Father Grassi, the superior of the mission, your views as to the commencement of the school, he consents assuming the charge at the current compensation. He does not hold out the hope that rapid improvement will attend his labors. To induce the Indian youths to systematic habits of industry, to restrain them from migrating to the chase, the root and berrying grounds, with their families, and to wean them from the luxury of idleness and freedom to beneficial toil, will require time, patience, and perseverance on the part of the instructors. It will be found, by trial, that some of the youth of this tribe will at the commencement attend the school, but it is likely that most of them will weary of the monotony of their task, and others will take their places, making for a long time a continuous fresh lot for the instructor's care. The great hope will be, that ultimately a considerable number will accustom themselves to the routine of the task, and they, not finding themselves overworked, and comfortably clothed and wholesomely fed, will become permanent pupils, and their contentment will be an example to induce others to embrace the benefits of the institution. But at first the progress will be slow, and hence it would be advisable to incur expense for the start, corresponding to the first results expected. I would, therefore, recommend, if the department deem best to institute the school establishment here, that the commencement be first made with a farm built and stocked, and with that view I submit in detail the following schedule of expenses, viz:

To fence 100 acres of land with stake and rider fence, 20,000 rails, at 3cents.....	\$600 00
Hauling and laying the same in fence.....	150 00
Breaking 100 acres land, at \$3.....	300 00
Erecting one farm-house 60 by 40, (hewn logs).....	200 00
Erection of barn and corral.....	300 00
Six yoke cattle, \$150 per yoke.....	900 00
Ten cows and one bull, \$50 each.....	550 00
Two wagons, \$150 each.....	300 00
Two breaking ploughs, with wheel and coulter, \$75 each.....	150 00
Six ox-yokes, and thirty-six ox-bows, \$10 each.....	60 00
12 ox-chains, \$10 each.....	120 00
Twenty-four chopping-axes, \$2 per dozen.....	8 00
100 ax-handles, at 75 cents.....	75 00
Constructing ditch for irrigation.....	100 00
Six grain cradles, at \$7.....	42 00
500 lbs. nails, assorted, 50 cents per lb.....	250 00
Fifty bushels seed-wheat, \$4 per bushel.....	200 00
Fifty bushels seed-oats, \$2 50 per bushel.....	125 00
Garden seeds.....	20 00
Household utensils.....	50 00
	<hr/>
	4,540 00
	<hr/>

I believe that the above sum of \$4,540 will be all that the government will be called upon to furnish in this branch, other than the appropriation, heretofore current, for pay of teachers, and the sum of \$300 per annum for incidental expenses.

Many other articles than those enumerated will be required, which can be furnished or manufactured by the employés of this agency without cost to the government. It is proposed in this estimate and proposition that the clothing and blankets for the pupils be taken from the annuities of the tribe.

The prices given in the above estimate are made from the present currency rates of this section, excepting the seeds, which this year are much higher than above stated, but in another year it is anticipated will be about those figures. If the agency farm was not of such poor soil, seeds might be spared from here, from the crop; but as it is, we cannot count upon any certain results. Some of the articles in the list, like nails, tools &c., could be obtained much cheaper if purchased in the east.

I believe the above to be all the department requires for its full understanding on this subject, with a view to its determination of establishing the Flathead Indian school.

Very respectfully, your obedient servant,

CHAS. HUTCHINS, *Indian Agent.*

Hon. W. P. DOLE,

Commissioner Indian Affairs, Washington, D. C.

No. 85½.

BLACKFOOT AGENCY,

Fort Benton, M. T., July 12, 1865.

DEAR SIR: I have the honor to report my safe arrival at this agency this day. I find matters relative to the Indians in rather an unsettled condition, and all kinds of exaggerated reports in circulation as to their hostile attitude and intentions.

I am not yet sufficiently informed to express an opinion of the extent of damage to be apprehended from this outbreak, but will ascertain immediately, and transmit all information to you as early as possible. I learn that the Piegiens and Gros Ventres still remain true, the Bloods and Blackfeet being the bands that have committed the hostilities. Under the circumstances, I hope no time will be lost in sending troops to this point; the necessity for so doing must be apparent to you.

I am, very respectfully, &c.,

GAD. E. UPSON,

U. S. Indian Agent for Blackfoot Nation.

Hon. WILLIAM P. DOLE,

Commissioner Indian Affairs, Washington, D. C.

No. 85½.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, March 24, 1865.

SIR: Congress having at its recent session provided an appropriation of fifteen thousand dollars "to enable the Secretary of the Interior to negotiate a treaty with the Blackfeet and other tribes of Indians to relinquish so much of their reservation as lies south of the Missouri river," you are hereby detailed as special commissioner to negotiate such treaty, and the amount of the appropriation will be placed at your disposal for the purpose.

The following instructions are furnished for your guidance in the performance of the duties assigned to you, and are placed in such form that, with such modifications as may be found to be necessary, they may be the basis for paragraphs of the treaty :

1st. The Indians to release and relinquish to the United States all right and claim to occupy the country south of the Missouri and Teton rivers, and from the source of the Teton river west to the mountains, and their western boundary; and henceforth to occupy the country north of the boundaries aforesaid to the British possessions; which country, north of the Missouri and Teton rivers, and east to the eastern boundary of their country, is to be assigned and set apart to the Indians for their exclusive use. No white settlements to be permitted within the tract of country thus set apart, except of such persons as shall be in the service of the United States. The right to construct roads and to travel through their country to be reserved to the United States and its citizens.

2d. In consideration of the relinquishment by the Indians of the right of occupancy aforesaid, the United States to pay them \$50,000 per annum for the period of twenty years after the ratification of this treaty, which may, in the discretion of the President, be expended in the purchase of stock animals, agricultural implements, and establishing in agricultural pursuits such of the Indians as shall be disposed thereto, in the employment of mechanics for them, and supplying them with clothing and provisions, so as to add as much as possible to their comfort and improvement. If it is found to be necessary, stipulation may be made for the annual payment to each of the principal chiefs of the tribes of a sum not to exceed \$500, so long as they shall continue faithful to their treaty obligations, and influence their people in that direction. Provision may be profitably made by which the President of the United States may discriminate in the distribution of goods, supplies, and other benefits under the treaty, in favor of such chiefs or others who shall show themselves most worthy of favor.

3d. The half-breeds of the tribes, parties to the treaty, not to be compelled to remove to the reservation north of the Missouri river, but they and such whites as may have intermarried with Indian women of these tribes, and continue to maintain domestic relations with them, are to be allowed to select each one quarter section of land, not mineral, in the country south of the Missouri, including their habitations, if they have any; which lands are to be granted to them in fee simple. Special provision to be made for granting one section of land to each of certain parties long resident among the Indians, and in consideration of long and faithful service in keeping the peace between the government and the Indians.

4th. Acknowledgment to be made by the Indians of their dependence upon the United States, and obligation to obey the laws thereof, and an agreement to submit to and obey all laws which shall be made by Congress for their government, and for the punishment of offences, and to exert themselves to the utmost of their ability in enforcing such laws, under the direction of the superintendent or agent.

The above will furnish you with sufficient information as to the views of the department to enable you to draught such a treaty as will, it is believed, receive the assent of the Indians, and conduce greatly to their benefit, while by removing the Indians north of the Missouri, and opening a large district of country to settlement by the whites, it will secure an object well worthy of your utmost efforts. It is desirable that the superintendent of Indian affairs of Montana should be associated with you in the proposed negotiations; but from the distance of the capital of the Territory from Fort Benton, and the difficulties of communication, it is doubtful whether this is practicable. If it is practicable, without too much delay and expense, to communicate

with him and obtain his personal co-operation, you are directed to do so, and in that case to report the result of your negotiations through him; otherwise, you will proceed independently in the performance of the duty herein assigned, and report directly to this office.

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner.*

GAD. E. UPSON,

United States Indian Agent, Washington, D. C.

SOUTHERN SUPERINTENDENCY.

No. 86.

OFFICE SUP'T INDIAN AFFAIRS, SOUTHERN SUPERINTENDENCY,
Lawrence, Kansas, October 16, 1865.

SIR: In compliance with the regulations of the Indian department, I have the honor to present my first annual report. But for absence, under orders from the President and the Interior Department, as commissioner to negotiate treaties, &c., it would have been prepared at an earlier day.

The accompanying reports of agents will furnish detailed statements of the condition of Indian affairs within their respective agencies.

In entering upon my duties on the 9th of May last, I repaired, under instructions, to the headquarters of the southern superintendency, then located at Leavenworth, Kansas, to make preparations for a tour of observation, as far as practicable, throughout the entire southern superintendency.

Upon my arrival at headquarters I found communications from Major George H. Reynolds, of the Seminole agency, and Major Milo Gookins, of the Wichita agency, upon the subject of cattle-driving from the Indian territory. Upon investigation into the matters and things complained of, I was convinced that there was in successful operation a regularly organized band of cattle operators, which organization had its plans so completely systematized, with sentinels and scouts, together with its numerous employes as drivers, that they generally succeeded in driving off, with impunity, all the herds of cattle coming within the range of their field of operations.

I was fully convinced that this nefarious business could not be broken up but by securing the active co-operation of the military authorities. I therefore made application for a sufficient force of troops that had not been demoralized by association with this class of self-styled cattle brokers, to be under the direction of the superintendent of Indian affairs, or such Indian agents as he may designate, which troops were promptly furnished and ordered to report to Major George A. Reynolds, United States agent for Seminoles, who at once entered upon his duties under instructions from this office. Major Reynolds succeeded in seizing Indian cattle in the hands of "cattle brokers," and arresting the parties in charge, who confessed that a portion of the cattle were stolen from the Indians. Several small herds were seized, and a portion of the cattle turned over to Major Snow, Neosho agent, for beef for the Indians at his agency, to whom he was issuing beef rations, and a portion retained for beef for the Seminole Indians; the remaining cattle unclaimed were sold at public auction. (See accompanying report, marked A.)

It is utterly impossible to effectually break up this system of plunder from the Indians as long as the State, civil, and military authorities are in sympathy with the parties engaged in this species of brokerage.

Owing to other pressing engagements, under instructions from your department, I have not been able to make such progress in the investigations into the character of, and the persons engaged in, these stupendous frauds, as I had hoped to be able to make before submitting my annual report. I propose, however, with your approbation, to pursue these investigations.

I think it is not doing violence to truth to say that since the commencement of the rebellion three hundred thousand head of cattle have been driven from the Indian country without the consent of the owners and without remuneration, which at an average value of fifteen dollars per head will amount to the enormous sum of four million five hundred thousand dollars.

There are two classes of operators connected with cattle-driving from the Indian country. The first are those who take the risk of driving from their original range—the home of the owners—who are generally men of no character and wholly irresponsible. They usually drive to the southern border of Kansas, where the second class are waiting, through their agents, to receive the stolen property.

These cattle brokers, claiming to be legitimate dealers, purchase at nominal prices, taking bills of sale, and from thence the cattle are driven to market, where enormous profits are made. These brokers have met with such unparalleled success that the mania for this profitable enterprise has become contagious. The number directly and remotely engaged is so numerous, the social standing and character of the operators secure so much power, that it is almost fatal to interpose obstacles in the way of their success.

By vigorously pursuing the investigations already begun I am of opinion that the magnitude of this fraud, as well as the parties in interest, can be discovered—an important and necessary step to the commencement of proceedings to recover, to some extent, the value of the property stolen from the Indians.

When stock is seized in herds it will always be difficult to determine the interests of individual owners, and inasmuch as all the Indian stock will be greatly needed in the Indian country, I would suggest, for your consideration, whether it would not be better, in the future, to keep a force on the border of the Indian country, and whenever cattle and ponies are found in the hands of these operators, that they be seized, and instead of bringing them to the settlement for sale, where so many difficulties are interposed, to prevent the execution of the law, under the instructions of the Secretary of the Interior, that they be driven back into the Indian country, stampeded and scattered, where the Indians may be able to realize the benefit of using and disposing of their own property. For further particulars I refer to my communications to your department, with accompanying letters.

In my tour through the Indian territory I met Major Snow, of the Neosho agency, in company with a party of Quapaw Indians, exploring the Quapaw reservation, with a view to the removal of his Indians from the State of Kansas to their own lands.

I visited the temporary agencies of the Cherokees, Creeks, Choctaws, and Chickasaws, and upon my return to Kansas I visited the temporary Seminole agency, and found the Indians alike destitute everywhere.

The Cherokee nation, with its regular system of government, once powerful and rapidly advancing in civilization; with its rich prairie pasturage, covered with immense herds of fine cattle and ponies; with farm buildings that would do credit to the States that claim a high state of improvement; with mills, common schools, and seminaries in successful operation, no longer advancing, but desolated—the chimney monuments point out the spots where once the happy families enjoyed domestic ease and tranquillity, with an abundance of everything to furnish ample subsistence and clothing, with their surplus constantly increasing in their herds of fine stock.

No Indian nation has had so promising a future before it as the Cherokee up to the date of the commencement of the late rebellion. Now their country is one vast scene of desolation; houses burned, treasury robbed, fences and agricultural implements destroyed, cattle stolen, and their former fields overgrown with weeds; and now they return to their homes, after an exile of years, destitute of almost everything to commence life anew, except personal energy, and they appeal with just expectations to the government for aid and support. They want subsistence until they can raise enough to subsist themselves. To secure that end they must have axes to build houses and fences; they must have ploughs and hoes to cultivate their lands; they must have stock, seed, &c.; and I apprehend that a great and magnanimous government like ours will not permit this unfortunate people to go unclad during the inclemency of the winter months now approaching.

Among the Cherokees there are many persons of culture, who have industriously improved opportunities for acquiring a liberal education, who would be ornaments in any circle, not excepting the halls of Congress.

About ten thousand five hundred of the seventeen thousand Cherokees have been loyal. Of that number two thousand two hundred volunteered as soldiers in the federal army, and have made a creditable record for themselves in the defence of the nation's flag, and deserve commendation and consideration at the hands of a liberal government.

The Cherokees that went south number about six thousand five hundred, who are represented as being in destitute circumstances. They are living in the southern portion of the Indian territory, near or on Red river, on the Choctaw lands.

The bitterness existing between the loyal and disloyal Cherokees is intense. If they fail at the present meeting of their national council to harmonize their differences, then I fear that no human power can reconcile them. If they should attempt to live within the same political organization, murder and slaughter would be likely to follow until the stronger would overpower the weaker, reducing them to a cruel state of barbarism, consequent upon a local Indian war. This calamity ought to be averted; and to do so, it occurs to my mind that the better way would be to locate the southern or disloyal portion of the Cherokees upon southern lands. Their relations with the Choctaws and Chickasaws are of the most friendly character, and I have no doubt but that either nation would receive and adopt them.

If the southern portion of the Cherokees are settled upon Choctaw or Chickasaw lands, where they can live peacefully with their friends and allies, then a large portion of the Cherokee lands in the Indian territory may be disposed of for the settlement of other Indian tribes, and the neutral lands lying within the geographical limits of the State of Kansas may be purchased by the government for general settlement, as other public lands are settled.

I have been informed that there are numerous white settlers upon the Cherokee neutral land, many of whom made their settlements believing they were settling upon the New York Indian lands. There is existing a difference of opinion as to the true northern boundary line of the Cherokee neutral lands, some maintaining that the New York lands run twelve miles further south.

Many of these settlers, if upon Cherokee land, are innocent trespassers, and are entitled to some relief, while others are, doubtless, wilful trespassers, and deserve punishment as such; but be that as it may, the neutral land ought to be purchased by the government for general settlement at once, and then all these questions of settlement could be easily adjusted.

There are about six thousand Creek Indians that remained true allies of the United States; that, when efforts were made to induce them to join the rebellion and become allies of the south, following the example of that prince

of patriots, Opothleyoholo, persistently refused the terms offered, preferring to stand or fall by the federal Union. It is said that Opothleyoholo refused to meet in council, or to entertain in his camp any one who sought to destroy the Union of States by disintegration.

In consequence of the overpowering force of the rebels in the Indian territory, these loyal Indians were compelled to flee their country and seek refuge in Kansas, and in their flight they were pursued by rebel Indian regiments, who made battle upon this faithful band of refugees, including their women and children. That noble hero and warrior could do no less than accept a battle, in which he drove the enemy from the field, proving himself victor. The enemy was re-enforced by such numbers as enabled him to overpower Opothleyoholo, when a scene of indiscriminate butchery, of not only men, but of helpless women and children, known only in the days of barbarism, followed.

The unslaughtered portion of this band could be tracked by the blood of the barefoot sufferers, who were compelled to flee in the midst of a snow-storm of unusual severity, in midwinter. During their exile in Kansas they lost all their property, including houses, fences, agricultural implements, and stock. Like their brother Cherokees, they were rich in vast herds of fine cattle, most of which have been driven from their country by marauding white men from the north; and I submit whether these true and faithful friends of the government, who have suffered so much from a rebellion that they had no instrumentality in producing, and were powerless to avert, should not receive some compensation for their losses. And whatever may be said in favor of remunerating the loyal Creeks for losses applies with equal force in favor of the claims of loyal Cherokees and Seminoles, as well as any other loyal Indians. This portion of the Creeks have returned to their desolate homes, and now appeal to the government for aid in clothing, farming implements, and seeds.

The Creeks have made rapid advancement in civilization, many of them manifesting a great desire to adopt the white man's mode of life, and but for the rebellion they would have made rapid advancement in that direction. They are exceedingly anxious for the re-establishment of schools.

From the best information I can obtain, there are about six thousand five hundred Creeks that became allies of the so-called southern confederacy, and are living in the southern portion of the Indian territory, all of them anxious to return and live in peace with their brothers of the same tribe, other Indian tribes, and with the United States.

They, too, appeal to the government for aid; they say they are destitute of clothing, the means of subsistence, agricultural implements, &c.; that they have no cattle, and but few ponies—about one to every ten men—and no means with which to purchase more.

The Seminole Indians are an off-shoot from the Creeks; they speak the same language, and are closely identified by the strong ties of consanguinity as well as common interest, and it occurs to my mind that they might be consolidated with advantage to both.

The Creek nation has an immense tract of land, and after disposing of that portion north of the Arkansas river for the settlement of other friendly Indians, they might adopt their cousins, the Seminoles, let them settle upon their lands, and still have a surplus on the south side of the Arkansas river, leaving all of the Seminole land to be sold for their joint benefit, under a consolidated organization.

The loyal portion of the Seminoles, about twelve hundred, went north to Kansas, uniting their fortunes and destiny with Opothleyoholo, and large numbers of both Creeks and Seminoles volunteered as soldiers in the Union army.

About one-half of the refugee Seminoles have returned to the Indian territory, and are upon the Creek and Cherokee lands near Fort Gibson, C. N.; the remainder, about five hundred, being the families of those who had volunteered in the Union army, remained in Kansas, and are now near Neosho falls, but will be removed this fall to their friends on the Creek land, south of Fort Gibson.

The loyal Seminoles and Creeks have a large number of negroes—their former slaves—living with them, and they desire to have them incorporated into their tribes as citizens, with equal rights.

There are nine hundred and fifty Seminoles south who were allies of the confederates, who are anxious to return to their former homes. They, too, are poor and destitute of subsistence and clothing, as well as all kinds of farming implements.

I had a personal interview with Rev. J. S. Morrow, who afterwards addressed me a communication in writing, from which I beg to make the following extract:

"I went to Seminole agency in September, 1862, under an appointment from C. S. The buildings, archives, &c., were then in charge of a free mulatto man. He had done all he could to preserve them, but everything was in confusion, the old agent having been absent nearly a year. I found no financial papers in the office, at least none showing what moneys were ever received or paid out, except one or two old pay-rolls. Every paper which I found will be preserved and turned over to Agent Reynolds.

"I made some important repairs on the buildings, and when I was forced to leave the agency in 1863, because of attacks from wild Indians, it was in good condition. Since then I have learned the buildings have been badly abused.

"All the tables I found were left. I regret to say that a small fire-proof safe, which I bought, was destroyed at Fort Washita when that place was abandoned, I having loaned it to one of the officers there. The archives are boxed up, and will be left at Hataboro', near Fort Washita, C. N., subject to Major Reynolds's order."

The Choctaw and Chickasaw nations have organizations similar to our system of government. They have each a written constitution and laws. Their legislatures are composed, respectively, of a house of delegates and a council, a judiciary, with courts regularly organized, and a chief executive, styled a governor. The gubernatorial chairs are filled by Governor Pitchlynn and Governor Colbert—the former Choctaw, and the latter Chickasaw.

The Choctaw nation is divided into districts and counties. The first, or Washita bulbee district, embraces the counties of Scullyville, Gaines, Sanebois, and Sugar Loaf, containing a population of three thousand five hundred. The second, or Push-ma-ta-hoh district, includes the counties of Towok-si, Blue, Kiam-schi, and Cedar, with five hundred inhabitants. The third, or Apuch-shee-nib-bee district, is composed of the counties of Towson, Red River, Eagle, Boctocole, Wade, and Nesholo, with a population of six thousand five hundred—a total of fifteen thousand, which is exclusive of their three thousand slaves.

The nation had in successful operation, before the late rebellion, the following institutions of learning: New Hope Academy for females, near Scullyville; Fort Coffee Academy for males; Goodwater Academy; Armstrong Academy; Chnalu Academy; Wheelock Academy; Eyanubbee Academy, and Spencer College—all of which have been closed for the past four years.

The Chickasaw nation is divided into four counties—Pontotoc, Tishemingo, Pickens, and Penola—with a total population of five thousand, not including their two thousand negro slaves.

This nation had also in successful operation five institutions of learning, viz: Wa-pa-mucka Academy for females, one hundred pupils; Colbert Institute, burned down during the war; Burney Institute, in Pickens county, forty pupils; Bloomfield Female Academy, in Penola county, sixty pupils; Chickasaw Manual Labor School, in Tishemingo county, one hundred pupils; none of which have been in operation since the commencement of the war.

The governors of both nations make strong appeals to the government of the United States to furnish them with means to reopen their schools. It is believed that their crops will furnish them sufficient subsistence, excepting for the refugees, numbering in all, both Choctaws and Chickasaws, near two thousand, who are being fed by Agent Coleman. They insist that they have not the means to purchase clothing, and that their destitution is extremely painful, and must result in great suffering unless supplied by the government.

They are exceedingly anxious to resume their agricultural pursuits, and to enable them to do so, they must be provided with agricultural implements and seeds.

There were about two hundred and twelve Choctaws that remained true allies of the United States government; the remainder, including the great body of both nations, united their destinies with the south, entered into treaties of alliance with the so-called Confederate States, but now manifest a strong desire to renew and maintain relations of friendship with the United States. It is but an act of justice to the few brave loyalists to say that twelve of the young men among the loyal Choctaws volunteered in the Union army, and served during the war in Kansas and Arkansas regiments. I have not the means of determining the number of Chickasaws that originally adhered to the United States government; the number, however, was small in comparison with the whole number of said nation.

The Neosho agency embraces the Quapaws, Senecas and Shawnees, who number in all six hundred and seventy, who are refugees from their reservations in the Indian territory. These refugees have been in Kansas most of the time during the war, but now they are willing to return to their former homes, whither they will be removed during this month or the first of next. They, in common with all other loyal Indians, have had their homes desolated, and they appeal for aid in clothing and farmers' implements. They have been subsisted during the whole period of their exile, and must continue to be until they can raise a crop, when they ought to be able to subsist themselves.

The Osages also belong to the Neosho agency. Their total number, as estimated by Major Snow, is less than two thousand eight hundred; but as estimated by Rev. Father Shoenmaker, whose means of information Major Snow admits to be better than his, makes three thousand two hundred, classified as follows: one hundred braves, eight hundred warriors, three hundred young men, one thousand married women, two hundred young women, and eight hundred children.

This tribe takes the name of Great and Little Osages, in consequence of the Little Osages having formerly lived separate, and were afterwards consolidated by mutual consent.

The nation is divided into four bands, each of which is entitled to a chieftainship, one of whom is the head chief of the nation. The chieftainship is hereditary, and in case of competition the dignity is acquired by the donation of horses and the influence of friends. The chiefs of the Great Osages all spring from the White Hair family. The bands are subdivided into towns, each town being entitled to a second chief. There are often warm and excited contests for the chieftainship, as is the case now in this nation.

The fourth band is made up of the Little Osages, which band subdivides into three towns. Little Bear is the head chief of this band, and is very ambitious to be made head chief of the nation.

The Osages live entirely by the chase, spending much of their time in the buffalo range. They have their regular annual and semi-annual hunts in the fall and spring. When upon their buffalo hunts they use nothing but their bows and arrows; they say the report of fire-arms and the smell of gunpowder stampedes the buffalo, and they would soon become so wild that their hunts would prove failures; hence these primitive weapons are still in favor with the wilder Indians.

Their women always accompany the men upon these hunts, performing the labor; they take charge of the horses, skin the buffalo—after the men have performed the work of death—prepare and cure the meat, dress the buffalo skins for market, do the drudgery generally, as well as perform the labor in the ornamental branches.

These Indians, when at home upon their own land, having no annuities of late years by which their necessities can be supplied, depredate upon the white settlements by killing cattle for meat for their subsistence, stealing horses and selling them to procure bread and clothing; and when their agent protests against such practices, they answer that white men steal cattle and ponies, and hire them to do so for their benefit; and if white man can steal from Indian, Indian can steal from white man also. Thus you see the demoralizing effect of cattle-stealing upon these Indians, and innocent white men are the sufferers in many cases. The penalty ought to fall with crushing weight upon the heads of these white thieves.

These difficulties can only be avoided by providing these Indians with sufficient annuities to meet their pressing wants, and this can easily be done by inducing them to sell all of their diminished reservation, now within the limits of Kansas. The rapid development and settlement of this portion of the west, penetrating the extreme border, by the various enterprises and discoveries of the age, will soon demand these lands for mineral and agricultural purposes; and now, while a new policy of consolidating the Indians into a territorial form of government is being considered, the time is certainly auspicious for sending them south into the Indian territory, and the late treaty with this tribe looks to that result.

If the Seminoles consolidated with the Creeks, as suggested, their reservation might be purchased for the Osages. This arrangement would remove the Osages near their hunting-ground, and far away from the influence of the white settlers; their annuities would supply their necessities, provide for schools and agricultural pursuits, and secure for this nation of Indians ultimate prosperity, independence, and happiness.

I visited the Osage Catholic mission school on the 28th day of September ultimo, where I received the kindest attention of Rev. Paul W. Bowzlione, assistant superintendent, and on the same evening and following day met Rev. John Shoenmaker, superintendent at Cowville trading post, the council ground of the Osage nation, from whom I received much valuable information, and he at my special request furnished the following report:

“ CATHOLIC MISSION,
“ *Neosho, Kansas, September 30, 1865.*

“HONORABLE SIR: Whilst you were yesterday in council with the Great and Little tribes of Osage Indians, I promised to make up my annual report for the Osage manual labor school, and transmit the same to you before your leaving Lawrence, Kansas.

“I suppose you are fully satisfied, from what you have witnessed during said council, that the Osages are very friendly-disposed towards our school

and mission. Every Osage chief who spoke in said council acknowledged feelingly that I have been their common father and benefactor. They seemed to regret not to have corresponded to our long exertions with a fidelity of dutiful children. It is, indeed, much to be regretted that these Indians, many of whom had begun to be industrious, and had made for themselves farms and built houses, have lost all their improvements during the war, whilst bad examples have deprived them of their original simplicity.

"Before the year 1861 we had no less than one hundred and thirty-six Osage and Quapaw boys, and upwards of one hundred girls, in our schools. Materials for enlarging our buildings were provided, and the Indian parents hoped to imitate, within a few years, the industry of the whites. The war commenced; a large number of pupils returned to their respective homes; we received only an average number of sixty-five boys and sixty girls. Even with this small number, the high price of articles of dress and consumption made it difficult to continue the work of their education. The government is now in arrears of payment for board and tuition of these children from the third quarter of 1864.

"We have at present fifty-one Osage and fifteen Quapaw male children in our school, and fifty girls in the female department, whom we board, clothe and instruct, at the low rate of eighteen dollars and forty-three cents per quarter. Eleven Sisters of Loretta are employed in instructing these little girls in the various branches of usefulness, and guiding them towards civilization and Christianity. Of the eleven lay brothers who are united to the male department, two teach the rudiments of education, the others direct them in the various branches of industry, and two priests preside to carry on regularly both establishments, and instruct both children and adults in the knowledge of the Christian doctrine.

"I am, respectfully, your obedient servant,

"JOHN SHOENMAKER,

"*Sup't Osage Manual Labor School.*

"ELIJAH SELLS,

"*Sup't Indian Affairs, Southern Superintendency.*"

The Wichita agency, embracing the Wichita and affiliated tribes of Indians, is temporarily located in southern Kansas. The refugees at this agency number about eighteen hundred, fourteen hundred of whom have been partially subsisted by direction of this office, under instructions from the Indian department, since June 30, 1865.

There are about one thousand belonging to this agency in the neighborhood of Fort Washita, in the Indian territory, who have been subsisted by the so-called confederate government, up to the time when said confederacy collapsed. Since that time they have been subsisted partially by donations of grain and beef from some of the northern counties of Texas.

These Indians are poor—desperately poor—and unless they are fed by the government they must starve or steal, and they may steal and yet not be able to prevent starvation among the helpless women and children. If they should be driven to the necessity of plundering for subsistence, murders may be expected to follow in the wake of robbery, and consequent strife, bloodshed and war to exterminate these poor, dependent, and helpless Indians, who have been driven to their extremity from sheer suffering; and those who have strength to endure will become the common enemies of white men everywhere, and will be ready to make indiscriminate war for booty and plunder, and the unprotected frontier settlers must be the sufferers, not only in property but in life.

The Wichita and affiliated tribes, numbering not far from two thousand eight hundred, or three thousand, have no place they can claim as

their rightful home. They have been living upon what is known as the reservation or leased lands in the Indian territory, situate between ninety-eight and one hundred degrees west longitude, and between the Canadian river and the northern line of Texas, by sufferance of the United States government.

The government adopted the policy, about twelve years ago, that it was cheaper and more humane to feed these Indians than to fight them; and the wisdom of that decision has been realized by those living upon the frontier within reach of these once savage but now inoffensive Indians.

The southern portion of these Indians are not within reach of their agent, and strong appeals have been made to me direct for their relief. I have decided to send a special agent to look after their wants and necessities, with authority to supply sufficient subsistence to prevent suffering and starvation.

I would recommend that provision be made for removing the refugee Wichita Indians in Kansas to a new home in the southern portion of the Indian territory, where lands may be set apart for their permanent occupation.

If these homeless Indians could be furnished with agricultural implements, seeds, &c., with an assurance of a permanent home, the tendency would be to lead them to the pursuits of industry and domestic habits, creating an additional inducement to give up a wandering, dependent life, making their homes attractive and desirable; without which, efforts for their civilization will prove fruitless. This new mode of life, where you can inspire ambition for the acquisition of property, will be a guarantee of peace, both among themselves with other tribes, and with the government; for without peace there would be but little security for such property.

I deem it due to Major General Pope, Major General G. M. Dodge, and Brigadier General R. B. Mitchell, to say, that in our efforts to break up cattle-stealing from the Indians these officers have promptly furnished military aid as we desired, and but for their ready co-operation we would have entirely failed.

The number of Indians being subsisted by the Indian department in the southern superintendency is nineteen thousand and seventy, as follows, to wit:

Cherokees, 9,000; Seminoles, 1,000; Creeks, 5,000; Neosho agency, 670; Choctaws and Chickasaws, about 2,000; Wichita and affiliated bands, 1,400; which number includes none who became allies of the confederacy, excepting some refugee Choctaw women, children, and old helpless men.

Very respectfully, your obedient servant,

ELIJAH SELLS,

Sup't Indian Affairs, Southern Superintendency.

Hon. D. N. COOLEY,

Com'r Indian Affairs, Washington, D. C.

No. 86 A.

Statement of captured Indian cattle, and sales, and expenses of guides, scouts, herding and keeping of same.

Number captured and turned over to me, as per receipts from Lieutenant Clark, company L, 17th Illinois cavalry, July 3, 1865.....

280

From same company, August 1, 1865.....	200
From Captain Austin, company M, 17th Illinois cavalry, July 22, 1865.....	50

Total number of cattle..... 530

Accounted for and disposed of as follows, as will appear by accompanying receipts, bills of sale, and affidavits :

Sold at public sale, July 18, one hundred and eighteen.....	\$2, 022 00
Sold to W. P. Clark, August 3, twelve head; one hundred and twenty-six young stock, cows and bulls.....	1, 442 00

Total amount of cash sales..... 3, 464 00

August 10, twenty-five head beef-cattle for Seminoles, valued at	650 00
August 10, forty-three head beef-cattle for Major Snow's refugee Indians, valued at.....	1, 296 00
July 20, and August 10, 1865, fifty-seven head to W. F. Brown, a loyal Creek Indian, as per proof, valued at.....	1, 425 00
August 10, turned over to Seminoles, as individual property, claimed and proven, forty-five head, valued at.....	900 00
Turned over to Captain Van, Cherokee, as per proof submitted, eighteen head.....	450 00
Strayed from herd twenty-six	
Stolen on night of August 3, 1865, (see report of August 10,) fifty-seven head of cattle reserved for beef, for Seminoles, valued at.....	2, 075 00
Fifteen head of domestic cattle, proved and turned over to loyal owners	

10, 260 00

Value of property captured from operators, in cattle.....	\$10, 260 00
Thirty ponies captured by Seminole Indians, and returned by them as their property, valued at \$30 each.....	900 00

Total amount..... 11, 160 00

Geo. A. Reynolds, agent, in account with United States, Dr.

To amount of cash sales... .. \$3, 464 00

By expenses incurred for pay of scouts, guides, herding, &c., per receipts, as follows : Cr.

Theodore Elliott, for herding	\$40 00
William McIntosh, for guide.....	45 00
William Van, for herding.....	25 00
N. F. Acres, attorney.....	25 00
Wm S. Newberry, for clerk in July sale.....	10 00
Dunda, Latta, and others, for driving stock from the Arkansas river.....	72 00
B. R. Smith and men, for herding.....	120 00
William Robinson, for herding.....	56 00
Wiley Anderson, for services as scout, per order of Col. Sells.....	200 00

Rent of wagon for self, on trip after cattle to Arkansas river, four weeks—30 days—at \$2 per day.....	\$60 00
Use of team same time.....	60 00
Provision and horse-feed.....	46 00
Warren Backus, herding and driving cattle.....	96 00
Total	<u>855 00</u>

Recapitulation.

Amount of cash sales.....	\$3, 464 00
Amount of expense account.....	<u>855 00</u>
Amount due the government.....	<u>2, 609 00</u>

The accompanying receipts, papers, and vouchers, together with my reports, will explain every part of this statement. The Seminole Indians claim, and I think have a perfect title to about thirty head of cattle, valued at fifteen dollars per head, amounting to four hundred and fifty dollars, sold by me, in obedience to orders received from the superintendent of Indian affairs, under date of August 3, 1865. These Indians claim that they should have pay for the cattle proven to be their own property, even though captured by their agent. To avoid ill feeling, and as a matter of simple justice, I respectfully request that I be permitted to pay over to the Indians the four hundred and fifty dollars for the cattle sold by me.

Very respectfully,

GEO. A. REYNOLDS,
United States Indian Agent.

No. 87.

OFFICE SEMINOLE AGENCY,
Neosho Falls, Kansas, June 28, 1865.

SIR: The following partial report is respectfully submitted :

In obedience to your instructions and the orders of General R. B. Mitchell, commanding district of Kansas, I left Humboldt, Kansas, on the 10th of June, 1865, moving west toward the Arkansas river, accompanied by company L, 17th Illinois cavalry. Arriving at Walnut river, I sent Captain Dyhernfurth south, on the east side of the Arkansas river. On the fourth day after leaving camp he discovered a trail of three hundred cattle moving north from the Indian country. On the fifth day he came upon the cattle, in charge of seven men, surprised the camp, and took possession of the men and stock. The captain then started for my agency, at Neosho Falls, where he arrived on the 22d of June. The stock is now at this agency, safe in the charge of the Indians. The prisoners I ordered sent to Fort Scott; had them confined in jail, and turned them over to Lieutenant Williams, provost marshal of this district, for safe-keeping until time of trial.

In addition to the stock captured by Captain Dyhernfurth, I captured upon Walnut and White rivers one hundred head of cattle and fifty horses, all being stock stolen from the Indian country. Also, nearly three hundred head of cattle on Fall river, believed to be stolen stock belonging to the Indians.

From the disposition I have made of the troops under my command, I am confident of the capture of a large number of cattle now unquestionably on the way from the Indian country, seeking a northern market. The extent of this robbery of the Indians is unparalleled and astounding. I learn from the best authority that not less than one hundred men are now engaged in driving out stock from the Indian territory. These men are divided into four or five different bands, well provided with horses and arms. While driving their stock northward they post their pickets and send out scouts to guard against the approach of troops, thus rendering it exceedingly difficult to surprise them with their plunder. A large number of heretofore respected men of the State are engaged in this nefarious business, either as outfitters, drivers, or purchasers of stolen stock. My memorandum is filled with the names of these men, which will be forwarded to you in my full report of operations, in obedience to your orders.

With the loyal Indians in their own country (who have just been mustered out of the service of the United States) armed for the protection of their own property, and the rebel Osage Indians killing all who pass through the country intervening, added to your instructions to the agents of your superintendency, I am confident that the time is not far in the future when the theft upon the Indians will cease to be a profitable and semi-respectable business.

I have the honor to be, colonel, your obedient servant,

GEORGE A. REYNOLDS,

United States Indian Agent for the Seminoles.

Colonel E. SELLS,

Superintendent of Indian Affairs, Lawrence, Kansas.

No. 88.

WASHINGTON, D. C., August 4, 1865.

SIR: I desire to present to your consideration the importance—indeed, necessity—of securing from the honorable Secretary of War an order declaring martial law in that portion of the west and southwest where Indian stock may be found, for the purpose of breaking up, if possible, the organized bands of cattle thieves who have been, and still are, robbing the Indians of their stock.

These lawless bands are sustained by a large portion of the people in Kansas, whose influence in that district of country where cattle-stealing from the Indians is sought to be made a legitimate business operation, consequently respectable, and have consequently secured the sympathy of the civil authorities. It will be impossible to arrest the progress of this fraud upon the unprotected Indians unless prompt assistance can be secured from the military power of the government.

Major General Mitchell, commandant of the district of Kansas, has given the Indian department all the assistance in his power, while other officers have interfered to defeat the enforcement of the law of Congress and the instructions of the Secretary of the Interior.

Unless your department of the public service, in protecting the rights of the Indians by seizing, holding, and disposing of their stock for their use and benefit, wherever found, can be sustained, and unless some prompt and efficient means be adopted to prevent interference upon the part of the civil authorities of Kansas, our efforts will prove fruitless and hopeless.

The usual means adopted is to take from the custody of the officer, by writ of replevin, the stock ; then arrest the officer ; and while the case is pending, the cattle are driven beyond the reach of our agents, and consequently lost to the Indians and the government.

I would suggest that you procure also an order from the honorable Secretary of War, directing that a sufficient military force, free from demoralization, be placed at the disposal of the superintendent of Indian affairs, and such agents in his superintendency as he may designate, to enable said superintendent and agents to enforce the law.

I am in receipt of the following communication from Major George A. Reynolds, United States Indian agent, who is specially employed to seize Indian cattle and arrest the persons in possession of them :

"NEOSHO FALLS, KANSAS, *July 23, 1865.*

"SIR : I made a sale of one hundred and eighteen head of Indian stock on Tuesday last, after ten days' advertisement by posters. Persons were here from Leavenworth, Lawrence, Fort Scott, and the surrounding country. The steers sold for nearly \$100 per yoke, the cows for \$12, and the bulls and young cattle for \$10, realizing the highest prices ever paid for Indian stock in this part of the country.

"I have been subject to untold annoyances and trouble in discharging my duties under your instructions. I do not receive the moral support of the people, in this branch of the service. On my arrival here I found writs of replevin, and orders for my arrest, awaiting my advent into this place. I pursued a conciliatory course, and by that means avoided a direct conflict of authority. I have direct and undeniable proof that my life has been threatened, time and again, for simply discharging my duties under your instructions. I have just received information that a man in Emporia, Kansas, a stranger to my friends there, but minutely described, publicly threatened to kill me on sight, because the troops, acting under my orders, had taken a lot of cattle while in transitu from the Indian country.

"If I know myself intimately I have no personal fear about me; but these things are unpleasant, and go to show that the people are in sympathy with these cattle thieves.

"If this matter is to be prosecuted to a successful termination of this robbery of the Indians and the government, I must be thoroughly sustained by the department.

"I am satisfied that much good has already been done towards stopping this business. My duties in this branch of the service have been discharged openly and fearlessly, obeying to the letter my instructions from the department, and I challenge the investigation of the strictest scrutiny to show any reason or suspicion of fraud or speculation on the part of my troops or myself.

"The people of western Kansas have large herds of Indian stock, and to a great extent sympathize with cattle thieves. They all fear their turn will come next in being deprived of their stolen stock, in accordance with your wholesome instructions. I have turned over a number of head of cattle to loyal Indians claiming them as their own stock, supported by affidavits, and other proof of the most positive character. Of course I have taken receipts for the number of head turned over.

"Yesterday, Captain Austin, 17th Illinois cavalry, turned over fifty head of cattle to me, which he had taken, acting under my orders, from Lieutenant Williams, of General Mitchell's staff.

"I have a report from a sergeant of my company that he captured one hundred head of cattle and eight prisoners, twenty-five miles south of Eu-

reka. The stock and prisoners have not arrived as yet. I also learn that Lieutenant Clark, of the same company, captured three hundred head of ponies, and from three hundred to a thousand head of cattle. This I learn through citizens and others, and may or may not be true.

"Upon the arrival of Lieutenant Clark I shall order him to report to regimental headquarters, as the company will then have been with me two months, and the stock is very much run down, and the men need rest.

"I respectfully suggest, if it be deemed advisable to place other troops under my direction for future service, that stock and prisoners captured be ordered to be turned over to me at Lawrence, as I have every reason to fear that I will be unable to hold them here for sale and disposal to rightful owners, unless I have the protection of a large military force stationed at this agency. No one can realize as well as myself the demoralization and excitement that exists among the people in relation to this business. * *

"I shall dispose of the stock on the way in here, and reported to be on the way, and shall not receive any more here than that above mentioned unless ordered so to do by you, for I fear an uprising of the people to take it away from me by force, for their own use and benefit. I have just received a communication from Major Hillard, commanding post at Humboldt, saying that Colonel W. B. Pearsall had assumed command at Humboldt, and had directed that a detachment of the 17th Illinois cavalry I had sent out a day or two since, to capture three hundred and fifty head of cattle, should return immediately, and that he, the lieutenant, had been ordered to drive to Humboldt any cattle in his possession. What does this mean? Are there any new orders on the subject? I have written you this plain unofficial letter, upon what I know to be facts, and trust that you will receive and consider it as such.

"Very truly,

"GEORGE A. REYNOLDS,

"United States Indian Agent.

"Colonel E. SELLS, Sup't of Indian Affairs."

I hope this subject may receive your early action.

I have the honor to be, very respectfully, your obedient servant,

ELIJAH SELLS,

Sup't Indian Affairs, Southern Superintendency.

Hon. D. N. COOLEY,

Commissioner of Indian Affairs.

No. 89.

WASHINGTON, D. C., August 5, 1865.

SIR: I have the honor to report, that upon arrival at the headquarters of the southern superintendency in May last, I had a personal interview with Major Geo. A. Reynolds. United States Indian agent for the Seminole agency, who informed me that since the commencement of the war, a regular system had been organized for the purpose of procuring Indian cattle, through the agency of irresponsible Indians, negroes, and white men, known in that country as "cattle thieves;" that by this system of robbery, the Indian territory, once rich in the finest and largest herds of cattle, is now without even signs of solitary straggling stock.

From the best information I could obtain, I was led to the opinion that between 200,000 and 300,000 head of cattle had been taken from the Indian

country, without remuneration, and without the consent of the rightful owners.

Major Reynolds informed me that many of these herds were in southern Kansas, and near the line of the State, where they might be secured, if a military force could be obtained that had not been demoralized by appliances used by, and association with, these cattle thieves. I forward a communication upon the same subject from Indian Agent Milo Gookins, as follows:

“WICHITA INDIAN AGENCY,

“*Buller Co., Kansas, May 16, 1865.*

“SIR: I have the honor to acknowledge the receipt of yours of the 1st instant, concerning instructions from the Hon. Secretary of the Interior, embracing two sections of a recent law of Congress in relation to driving cattle from the Indian territory, and requesting me ‘to observe them strictly and to carry out, to your utmost ability, the letter and spirit of the law.’ I have, since I have been in the service, endeavored to carry out, ‘to the utmost of my ability,’ all orders and instructions received, with the means under my control for carrying them into effect.

“I hope it will not be constrained into any unwillingness on my part, or in discourtesy, if I say that in the present case very little can be effected in the present condition of things. The whole internal policy of the country is under military control, and the country itself is treated as though it was an insurrectionary district and under martial law.

“Deputy provost marshals are sent down here with bands of soldiers, with instructions to arrest cattle drivers, and seize their herds; they are piloted through the country by the most arrant cattle thieves among us; and I have yet to learn the first instance when any good has been effected by their operations, or any check put to the cattle-driving. Within the last twelve hours I have learned, to a moral certainty, that three days ago a provost marshal, recently appointed by General Ford, overtook a drove of cattle coming up, was bribed—bought off—when he returned back, and the cattle and drivers went on; and that is about a fair sample of military operations in stopping this business. I would not pretend to implicate district commanders in this business; but certain it is, that some of their subordinates are not acting in good faith.

“If the matter was controlled by the civil authority, aided by a sufficient military force, some good might be effected; but, judging from the past, not otherwise.

“Very respectfully, your obedient servant,

“MILO GOOKINS, *U. S. Indian Agent.*

“HON. SUPERINTENDENT OF INDIAN AFFAIRS,

“*Leavenworth, Kansas.*”

I therefore addressed the following communication to Major General G. M. Dodge, commandant of the military department of Missouri, Kansas, &c.:

“LEAVENWORTH, KANSAS, *May 21, 1865.*

“SIR: I have the honor to lay before you copies of communications from George A. Reynolds, agent for the Seminole Indians, of date of May 15, 1865, and from Milo Gookins, agent of the Wichita Indians, of date May 16, 1865, upon the subject of the nefarious practice of stealing cattle and other stock from the Indians. I desire to call your attention to the 8th and 9th sections of act approved March 9, 1865, and respectfully request that you detail a sufficient military force of officers and men, that have not been demoralized by their association with men connected with this trade, which force I would be glad to have subject to the direction of the undersigned

superintendent, or the agents within said superintendency, for the purpose of enabling the agents to seize, hold, and dispose of, as contemplated in the letter and spirit of the law above referred to.

"Very respectfully, your obedient servant,

"ELIJAH SELLS, *Sup't Indian Affairs.*

"Major General G. M. Dodge, *Fort Leavenworth, Kansas.*"

In response to which application, Brigadier General Mitchell, commandant of the military district of Kansas, informed me, verbally, that the troops should be furnished as soon as possible, and very soon thereafter notified me that he had detailed a company of Illinois cavalry, ordering them to report, at my request, to Major Reynolds for such duty as might be assigned them by him.

I addressed the following information and instructions to Major Reynolds:

"OFFICE SUPERINTENDENT INDIAN AFFAIRS,

"*Leavenworth, Kansas, May 30, 1865.*

"SIR: General Mitchell has promptly responded to the demand for a military force to aid you in protecting stock belonging to the Indians, which military force will reach Fort Scott in about four days, and be subject to your instructions in the line of your legitimate duties.

"You will thoroughly scour the country, taking possession of all the Indian stock you can find, either in the hands of pretended owners or otherwise, arresting all persons having the custody of said stock, in violation of the 8th section of the act approved March 3, 1865, holding such persons to answer under said act. Bills of sale by irresponsible pretended owners of Indian cattle will be disregarded and held as void.

"In the disposition of such Indian stock as may come into your possession, you will comply strictly with the instructions of the Secretary of the Interior, March 20, 1865. Your attention is specially directed to that provision of the instructions of the Secretary of the Interior which requires the Indian agents to take vouchers from the military authorities for cattle or stock taken for military use. For the purpose of enabling you to carry out the instructions referred to of the Secretary of the Interior, you are authorized to employ a reliable, trustworthy scout, whose character for integrity will be a sure guarantee against fraud upon the Indians or the United States government.

"Very respectfully, your obedient servant,

"ELIJAH SELLS, *Superintendent, &c.*

"Major GEORGE A. REYNOLDS, *United States Indian Agent.*"

On the same day I received a telegram from Major Reynolds informing me that Indian cattle were being driven through Kansas on their way west, and unless prompt action was taken they would soon be beyond the reach of recovery. In reply to said despatch I communicated the following:

"OFFICE SUPERINTENDENT INDIAN AFFAIRS,

"*Leavenworth, May 31, 1865.*

"Your despatch of this date is received, and I exceedingly regret that you have not now a sufficient military force that can be trusted to arrest and bring to justice these plunderers of the Indians.

"General Mitchell assures me that he will render every assistance possible, but fears that scouts and officers will become demoralized by the appliances used by these cattle thieves.

"I trust you will exert yourself to bring these offenders to justice, and save the cattle for the benefit of the Indians and the government.

"Collect all the facts connected with the operations of these cattle sharks, and report at the earliest day, and from time to time.

"Your obedient servant,

"ELIJAH SELLS, *Superintendent Indian Affairs.*

"Major GEO. A. REYNOLDS, *United States Indian Agent.*"

For the result of Major Reynolds's success, I refer you to his partial report. (For this letter see No. 87, page 262, of this volume.)

On my tour south through the Indian country I held council with the Quapaws, Cherokees, Creeks, Seminoles and Chickasaws, and at each meeting cattle-stealing was made the subject of special consideration.

I assured them that the Indian department would inaugurate efficient means (if military co-operation could be secured) to effectually break up this organized effort to make cattle-stealing from the Indians legitimate and respectable; that it was true this promise came to them after their stock was mostly stolen, but I hoped not too late to assure them that the Indian department and the government intended to protect their rights. They manifested great satisfaction, saying that if their remaining stock could be protected, it would afford the means and a hope that they, in time, could replenish their stock and start in life again, with a reasonable expectation that they might soon acquire the means of support and ultimate independence.

I authorized Major J. Harlan, agent of the Cherokees, to organize a force sufficient to protect the Indians from being robbed by marauding prowlers who were seeking to drive cattle from the Indian country, as follows :

"FORT GIBSON, *Cherokee Nation, June 15, 1865.*

"SIR: You are hereby authorized to employ an efficient and trustworthy scout for the purpose of enabling you to effectually break up cattle-stealing from the Indians within the southern superintendency.

"You will adopt such means and authorize such organization as will put an effectual stop to this nefarious practice of pretending to purchase from irresponsible parties.

"I have the honor to be, very respectfully, your obedient servant,

ELIJAH SELLS, *Superintendent Indian Affairs.*

"Major JUSTIN HARLAN."

I would recommend the appointment of an efficient agent, under the direction of the superintendent, to institute a thorough investigation, taking testimony, for the purpose of laying before Congress at the next meeting thereof, showing the nature, extent, and parties connected with and implicated in this mammoth fraud upon the Indians and the government, that legal proceedings may be commenced for the recovery of damages for the amount thus fraudulently taken.

I would also recommend that an attorney be employed to take charge of the interest of the government in the prosecution of the suits growing out of our Indian relations.

Very respectfully, your obedient servant,

ELIJAH SELLS, *Superintendent Indian Affairs.*

Hon. D. A. COOLEY,

Commissioner of Indian Affairs.

No. 90.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., March 20, 1865.

SIR: By an act of Congress passed at its recent session it is enacted as follows:

"Be it further enacted, That any person who may drive or remove, except as hereinafter provided, any cattle, horses, or other stock from the Indian territory for the purposes of trade or commerce, shall be guilty of a felony, and on conviction, be punished by fine not exceeding five thousand dollars, or by imprisonment not exceeding three years, or by both such fine and imprisonment.

"Be it further enacted, That the agent of each tribe of Indians lawfully residing in the said Indian territory be, and he is hereby, authorized to sell, for the benefit of said Indians, any cattle, horses, or other live stock belonging to said Indians, and not required for their use and subsistence, under such regulations as shall be established by the Secretary of the Interior: *Provided,* That nothing in this and the preceding section shall interfere with the execution of any order lawfully issued by the Secretary of War, connected with the movement or subsistence of the troops of the United States."

The intention of Congress cannot be mistaken. It is to prevent depredations upon the stock of the loyal refugee Indians by unauthorized persons, and to preserve it for their use, and first of all for their subsistence. The heavy drafts upon the treasury on that account make it incumbent upon the department to avail of all the resources of the Indians for that purpose.

It will be your duty to direct the agents to collect and keep the stock of their people well under control; to mark and brand all descriptions of it, which, for any cause, has been omitted, and, as far as practicable, to enumerate and describe it, making report of number and description, to be placed upon the files of this department; (if any of the stock shall be taken by the military forces, which may be done under the order of the Secretary of War, the agent should keep a list and account of the same and its value;) to subsist the Indians to the fullest extent practicable upon the slaughtered animals, as well of those slaughtered by the agents as by the Indians, and disposing of the hides to the best advantage, making every part of the slaughtered animal available for their subsistence, and to keep the best account of their number that the circumstances of the case will permit.

Respecting the sale of the animals contemplated by the act, the agents are authorized to dispose of any surplus beyond the wants of the Indians for food, and the proper number for increase. As the exercise of this authority may be much abused, the following rules are prescribed for the government of the agents in the discharge of this branch of the service, viz:

1st. If the stock is demanded by the military authorities, it may be turned over to the quartermaster or commissary in charge, at the current rates paid for such property at the place where purchased, taking the ordinary voucher therefor, to be accounted for by the War Department in Washington.

2d. If the agent shall find it expedient to sell the stock to individuals, great care should be taken to obtain the best price therefor. It should be collected together, (using the Indians for the purpose,) so that the same will be subject to inspection by the purchaser or purchasers. Public notice must be given to such an extent as to attract purchasers from the surrounding country, and from remote and distant points. The sales must be singly or in small lots, and at public outcry to the highest bidder for cash in hand.

Triplicate bills of such sales must be made out, describing the stock by the marks and brands, and otherwise, so as to identify the same with reasonable certainty. The bills will be signed by the agent and purchaser: one delivered to him, one will be retained by the agent, and one despatched to the Commissioner of Indian Affairs, with the next quarterly return of the agent, certified in proper form to be true and accurate in every particular. Employés of the department or of the agency will not be permitted to purchase without special leave from the Commissioner of Indian Affairs. Neither will the agent sell any stock at such sale unless a fair price, in his judgment, shall be offered. Any apparent sacrifice of the stock will become at once a matter of suspicion and investigation. In this connexion, the agent should, with his quarterly returns, make report of all hides, &c., received and sold, which have been taken from the cattle of the Indians, specifying the sums he has received, and certifying that he has obtained the market price for the stock disposed of.

Heavy penalties are imposed upon persons interfering with the stock without proper authority. The agent should be instructed to exercise vigilance in protecting the stock against violators of the law in this particular, and when violated, must use their best endeavors to bring the offenders to justice.

You will furnish Superintendent Coffin with a copy of these instructions, and direct him to place a copy thereof in the hands of each of the agents of his superintendency for his and their guidance.

Very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

WILLIAM P. DOLE, Esq.,

Commissioner of Indian Affairs.

No. 91.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, February 14, 1865.

SIR: I enclose for your information, and action thereon, a copy of the directions of the Secretary of the Interior of the 10th instant, relative to the complaint of Colonel Phillips, commanding the Indian brigade, making certain charges against parties connected with the Indian service in the neighborhood of Fort Gibson.

In order that you may be familiar with the whole matter brought to the attention of the department in the above connexion, I also enclose a copy of the letter of Colonel Phillips to the Secretary of the Interior of the 17th ultimo, together with a copy of general orders No. 4, enclosed therein.

As the directions of the Secretary are perfectly plain, and cover every point at issue, I feel that it will only be necessary for me to instruct that copies of the papers herein may be furnished the agents, and that all the allegations of Colonel Phillips shall be fully reported upon according to the instructions.

It will be seen that the Secretary contemplates, in his instructions, a report from yourself, as well as from the agents of your superintendency included in the charges.

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner.*

W. G. COFFIN, Esq.,

Superintendent Indian Affairs, Present.

No. 91 A.

HEADQUARTERS INDIAN BRIGADE,
Fort Gibson, C. N., January 17, 1865.

SIR: Having recently returned to my command, several matters have fallen under my observation of which I deem it proper to advise you.

1st. The Cherokee Indians scattered throughout the nation raised a very considerable amount of corn, nearly enough to do them. The Creek and other refugees, whose homes are south of the river, being clustered for necessary protection, needed aid. I understand that \$200,000 was directed to be expended on their behalf; I learn that Mr. Coffin and his agents traversed the Cherokee nation, and bought, or professed to buy, the corn at \$2 and \$2 50 per bushel. This was paid in checks payable thirty days after date, by McKee & Co., or McDonald & Fuller, which is the same concern. Many of these are outstanding and still unpaid. The facts to which I would call your attention, however, are that the mode of purchase was—where a man had 100 bushels it was *all bought*, the man receipting to the agents or superintendent for half of it for his own use, and an order being given to other parties to go and get the remainder. In many cases there has been no corn to get, and the parties had to convert their orders for corn into certificates of deposit to McDonald & Co. Again, in some cases I learn transactions were had and papers passed where there was no corn. Rev. Willey informs me that 9,000 bushels were bought or supposed to be bought in that way. On inquiry from Mr. Coffin's son, who is here, I learn that McDonald & Co. are furnishing the supplies on some kind of contract or purchase, under Superintendent Coffin. Young Mr. Coffin could tell me nothing of prices, but the agent informs me that the contract is \$7 per bushel. In this way, you will observe that those who *have not*, got little or nothing, and those who *have*, are pauperized by being paid for what they have.

I further find that since I left, a system has been inaugurated as to supplying beef by McKee, or McDonald & Co., that is all wrong. Black men and reckless characters have been employed to drive in cattle, which the contractors took, contraband and all, just as it came in. Mr. Coffin admitted to me that not one-eighth of it was paid for, and yet the contractor is receipted for to the full amounts. I have put a stop to the system. The cattle that it is proper to use are not those in our rear, but those in front, that are being used by the enemy, leaving the others in case the enemy move in front. Mr. Coffin and the contractor informed me that unless they were allowed to take the contraband and unmarked cattle they would do nothing. I notified them that the contractor could procure cattle only in a proper, legal way; but as there is abundance of rebel beef, I notified Mr. Coffin that I would have all he wanted driven in, if he would see it carefully examined with the provost marshal, and have the receipts for contraband (or unpaid stock,) so that the government would not have to pay the contractor for property he had no right to. I insisted, however, that a perfect record of every hoof taken and issued be kept, and the contractor could only furnish what he legally purchased. I also find they would not let the Indian people take out their own cattle when they proved them, but compelled them to take and receipt for contractors' beef. They pay about \$10 to \$12 for a cow weighing 700 pounds gross; their price is \$3 per 100 pounds, gross weight. The Indians butcher them themselves, and furnish the hides to the contractors. The truth is, the whole affair is so nefarious that I blush for our federal officials to write to you about it. I feel responsible, however, to have a healthier state of police regulations around my camp, and enclose orders which I intend to rigidly enforce.

I find that McKee, a licensed trader, under signature of Mr. Coffin, approved by Commissioner Dole, has driven stolen cattle from the Indian nation. I propose arresting him and trying him by a military commission, if I catch him, but he left before I got here; and as the store is really owned by McDonald & Fuller, I learn that it is to be transferred to another name. They have presumed, since I left, to commence a banking establishment among these Indians, and flooded the country with their certificates of deposit, which I cannot permit under cover of my camp. The presence of such powerful money combinations is dangerous; the same firm last summer run the hay and beef contracts for the army.

As they have rendered themselves legally liable by stealing cattle and other very gross frauds, in violation of the late acts of Congress, I desire to inform you, respectfully, that I propose arresting and trying them by military commission for their crimes; and as I desire earnestly to carry out what I believe to be the real wishes of your department, which are in accordance with my own orders, I merely wish to advise you of the character of the men who have violated your confidence.

Very respectfully, your obedient servant,

WILLIAM A. PHILLIPS,
Colonel, Commanding.

HON. SECRETARY OF THE INTERIOR.

No. 92.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., February 10, 1865.

SIR: The complaint of Colonel Phillips, of the Indian brigade, addressed to me, and recently submitted to you, making charges against the employes of this department located in the vicinity of Fort Gibson, should, I think, receive attention, and the charges, so far as possible, be investigated.

Agent Harlan was authorized to purchase the surplus corn of the refugees, and was provided a sum of money for that purpose. How he has performed that service, and what disposition he has made of the money, should be the subject of a special report from him.

Respecting the purchase of beef for the refugees, I was not aware that there was any existing contract for that service till since the receipt of the communication of Colonel Phillips, and upon inquiry of Colonel Coffin, the superintendent, learned that there is a verbal contract to that effect. If so, I am of the opinion that it should at once be rescinded, as the law requires all contracts to be in writing and approved by the Secretary. Verbal contracts cannot be made or enforced.

A charge is made that the hides of the beeves have been turned over to the agents of this department. If that is true, I see nothing improper in the transaction, but the agents must account for the hides. It is presumed that they have done so in their quarterly accounts. If they have not, it is important that inquiry be made of them and of the superintendent respecting this subject, and the proper credits to the department be obtained.

I think it proper to request you to cause a rigid inquiry to be instituted into the allegation that employes of this department have been engaged in driving cattle into Kansas from the Indian country, for their own gain, and also whether they have speculated upon cattle or property found in the Indian country, by turning them or it over to the department for the Indians, or have otherwise made gains to themselves out of cattle found there.

It occurs to me that it will be proper, in the first instance, to call upon the superintendent and agents included in the charges for specific reports upon the several charges involving their integrity, furnishing them with copies of the letter of Colonel Phillips, and, after their reports shall be received, if the same are not satisfactory, the case will be open to further action.

Very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

WILLIAM P. DOLE, Esq.,

Commissioner Indian Affairs.

No. 93.

LEAVENWORTH, KANSAS, *May 1, 1865.*

SIR: I am in receipt of your letter of the 15th ultimo, enclosing in the same a copy of a communication from the Secretary of the Interior, as also of Colonel William A. Phillips, commanding Indian brigade, making sundry charge, against employes of the Indian department at Fort Gibson, as well as McDonald & Fuller, late contractors for furnishing supplies to the refugee and destitute Indians at said place, and asking a report to be furnished you on my part concerning the allegations made by Colonel Phillips.

The charges referred to above are so absurd and slanderous in their character that they ought not for a moment be entertained by any reasonable and sensible man, nor ought they be entitled to a decent reply. But in obedience to the request of my superior in office I make the following statement:

I was present when Colonel Phillips and E. E. Coffin, son of Superintendent Coffin, had a conversation some time last winter relative to supplying refugee Indians at and near Fort Gibson, C. N., with beef. It is absolutely untrue that the beef, contraband and all, just as it was driven in, was turned over to the refugees. The droves of cattle were put into a pen under the charge and care of a committee composed of the chiefs and headmen of the refugee Indians. Their duty was to examine them and make a descriptive list of the same, naming the marks and brands of each head, as also the names of the loyal and disloyal owners, and fix a price on the different grades of the same, furnishing a provost marshal at Fort Gibson with a copy of such descriptive list. Then the owners of the cattle had to go before said provost marshal, and prove their cattle, and obtain an order from him on the contractors for their compensation therefor. When thus paid for, the beef was charged to the department and receipted for to the contractors by the agents or commissary.

The statement made by Colonel Phillips that E. E. Coffin admitted to him that not more than one-eighth of the beef thus obtained was paid for is also untrue. Said Mr. Coffin informed Colonel Phillips that the cattle belonging to the loyal Indians was not more than one-eighth part of the number driven in, and that if he and the agents were not allowed by him (Colonel Phillips) to use the contraband cattle for beef, it would be utterly impossible to furnish the refugee and destitute Indians with a sufficient supply of meat. But he said not one word to Colonel Phillips what part or portion of the cattle was paid for. *It is not true* that the Indian people were not allowed to take out their own cattle from the pens when they could prove them. I was most always present at the cattle-pens, and saw loyal Indian owners taking out cattle for work oxen and milch cows for their own use. *It is false* when Colonel Phillips charges that the hides of the beeves furnished by the contrac-

tors were turned over to them or the agents. On the contrary, I directed the Indians under my charge to save and take good care of the hides until they became dry and fit for market, and then sell them for the best price they could get, and to use the money to purchase such articles as they might consider most useful. But the principal part of the hides from refugee cattle was left lying about the pens where the beeves were butchered, and carried off by Indian dogs for what meat they could get off of them.

It is entirely untrue that the agents, or other employes of the Indian department, have been engaged in driving cattle from the Indian territory into Kansas for their own gains or speculation. This is a most malicious and daring charge, and I defy Colonel Phillips to substantiate it.

The whole statement of Colonel Phillips, so far as it relates to the superintendent and agents of the southern superintendency, I know is *false*, and he (Colonel Phillips) knew it to be so when he wrote it.

As to the corn purchased of the Cherokees, I am entirely unable to give any information on the subject whatever, inasmuch as I had nothing to do with it, nor received any for use of my Indians.

All of which is most respectfully submitted by your obedient servant,

ISAAC COLMAN,
United States Indian Agent.

Colonel WILLIAM G. COFFIN,
Superintendent Indian Affairs, Leavenworth.

No. 94.

LEAVENWORTH, KANSAS, April 16, 1865.

SIR: In answer to your letter of the 15th instant, enclosing a copy of the letter from the honorable Secretary of the Interior, the Commissioner of Indian Affairs, and the charges made by Colonel Phillips, I have the honor to state:

First. As none of the corn purchased from the Cherokees was supplied to the Indians under my charge, I know nothing of the transactions whatever.

Second. The beef supplied to the refugee Indians was furnished by the contractors; under what kind of a contract I do not know. The cattle were obtained by the contractors, McDonald & Fuller, in this manner, most of the time, viz: They were driven in by parties sent out by the military authorities, and men sent out by the contractors under the same authority. Cattle without owners, and those unbranded, were taken possession of by the provost marshal for the use of the military, and those belonging to loyal owners were turned over to committees appointed for that purpose by the Cherokees, Creek and Seminole Indians themselves, they being required to make proof of the same to said provost marshal, and the cattle furnished by the contractors, McDonald & Fuller, for beef, were bought by them from these owners. Many of the cattle furnished for beef by said contractors were purchased by them from loyal owners residing in the vicinity of Fort Gibson, at their own homes. It is proper here to state that Colonel Phillips was several times importuned by Colonel Coffin and myself to permit the refugee Indians to go into their own country and allow them to drive in their own cattle, thus saving the immense expense of buying beef to the government and the Indians; but this he would not consent to.

Third. The hides were not turned over to the contractors as stated by Colonel Phillips. An effort was made on the part of the agents and their employes to save them for the benefit of the Indians, but the moth in that

climate damaged them so much, and the cost of transportation to any kind of a market was so enormous, that it was found impracticable to carry out the project.

Fourth. I do not know whether McKee, or McDonald & Fuller, have stolen or driven away any cattle into Kansas, nor have I ever heard the charge made before by any one.

Fifth. I have had nothing to do whatever with the driving of cattle from the Indian territory into Kansas, or anywhere else, nor do I know that any one connected with the Indian department has been, or is, guilty of such outrageous conduct as that. It is proper for me to state that at one time the chiefs of the refugee Indians were exceedingly anxious to have some cattle driven out to sell in order to raise some means to relieve their wants and pressing necessities, and partially entered into some kind of an arrangement to do so, but I prevented them from doing anything in the matter without first having obtained the consent of the general commanding the district. The consent was obtained, but nothing was done in the matter, for various reasons unknown to me.

In conclusion I would state that I have never made gains or speculated in any way with cattle in the Indian territory.

Trusting these explanations will be sufficient in answer to the charge made by Colonel Phillips, as far as I am concerned, I remain, very respectfully, your obedient servant,

GEORGE A. CUTLER,
United States Indian Agent.

W. G. COFFIN, Esq.,
Superintendent of Indian Affairs, Leavenworth.

No. 95.

FORT GIBSON, CHEROKEE NATION, *April 21, 1865.*

SIR: On my return to this place I find, by your order, a copy of a communication by Colonel Phillips, colonel commanding at this post, to the Secretary of the Interior, dated January 17, 1865, some parts of which seem to require some answer from me. To the other parts an answer from me is not improper.

Colonel Phillips says "the Cherokees scattered throughout the nation raised a very considerable amount of corn, nearly enough to do them." My opinion was that there was enough raised, if left to them by the military teamsters, army followers, Indians of other tribes, rebel army and others, to have fed the Cherokee women and children about four months, if all that was raised could be equally distributed. I never hoped and never was able to perfect such distribution. Many of those who had more than enough to supply their families for four months, but not enough to supply them a year, would not sell the overplus. Many of the destitute could get none, and some who got corn got but little. With 1,200 bushels of corn and 500 sacks of flour received from the contractors, and two thousand one hundred and eighty bushels of corn bought by me after the 6th day of December, 1864, the date of my arrival in the nation, with the money furnished me in Washington, I endeavored to supply, and did supply, the destitute as far as possible, and by so doing succeeded in getting through the winter—not well, but without very much suffering. The military, scarce as corn was, took some of the corn, teamsters took some, Price's rebel army took some, the Union army following Price took some, both going and returning through the nation.

Indians of other tribes in the Cherokee nation took some, together amounting to several thousand bushels, all of which crippled my means of supply and prevented me from furnishing them as fully as they ought to have been furnished.

I did all I could do under the circumstances. If the Indians under my charge suffered for food, I hope I can say it was not a want of will on my part to prevent it, but for want of means, a matter beyond my control.

Colonel Phillips says: "I learn that Mr. Coffin and his agents traversed the Cherokee nation, and bought or proposed to buy the corn at \$2 and \$2 50 per bushel." I do not know from whom Colonel Phillips learned that fact; from whoever learned, Colonel Phillips knows it was not true. Colonel Coffin has not been in the nation since last June, during the time the Indians' corn was being planted, and has not been there since, and Colonel Phillips knew it when he made the statement. I understand Assistant Agent Porter, in my absence, used every exertion to procure the surplus corn of the Cherokees, for which they were to receive in thirty days \$2 50 per bushel, I think a very fair price, and I can see nothing wrong (if he did) in traversing the nation for the purpose of purchasing the corn.

I learn that Mr. Porter, while "traversing" the Cherokee nation, advised the Indians who had corn to sell to sell it to him for the purpose of feeding their destitute women and children; for if they did not, perhaps it would be taken by the military under pretence of feeding government mules, and actually fed to the officers' fine chargers. This statement of Mr. Porter's coming to the ear of Colonel Phillips, and acting on a temper not too sweet, may be the origin of the charge, and the reason why he has the wrong so clearly.

Again, Colonel Phillips says: "The facts to which I would call your attention, however, are, that the mode of purchase was, where a man had 100 bushels it was all bought, the man receipting to the agent or superintendent for half of it for his own use, and an order being given to other parties to go and get the remainder. In many cases there has been no corn to get, and the parties have to convert their orders into certificates of deposit."

My explanation of all this charge is this: I left the nation the last of July on furlough. On my return to duty early in September, at Terre Haute I met Secretary Usher, who informed me that the last appropriation was spent, and that he had but one way to raise money for immediate use, and that not quite certain, but that he would do all he could. I returned to Leavenworth, Kansas, and was aiding in getting off what supplies were on hand for the Indians, when, on the 19th day of September, the train was taken at Cabin creek, and the escort returned to Fort Scott. From that time until the 20th of November no escort could be procured. For six weeks or more no mails passed, as I learn, between Forts Scott and Gibson. At the request of Colonel Coffin I visited Washington for the purpose of procuring clothing for the Indians, and money to buy their surplus corn. I had fully informed Mr. Porter of my purpose before leaving the nation, if I could get the money, to buy the surplus corn of the Indians. While at Leavenworth I so informed Colonel Coffin, and at Washington city I freely explained the advantage to the Indians and the saving to the government, to the President, Secretary of the Interior, Commissioner of Indian Affairs, and to others. My plan was approved by all. I was furnished with \$10,000, and started for the nation on the 5th day of October. When I got to St. Louis, Price's rebel army was near Lexington, Missouri, and bushwhackers were on the North Missouri railroad, and the trains were stopped, and I was detained a week. When I got to Leavenworth, Price's army was near Westport, and the battles of Blue river and Westport followed soon after. All communication with Fort Gibson was cut off. I could not inform Mr. Porter that I had received the money, and he had not informed me, for the same reason, what he had done.

I arrived in Fort Gibson on the 5th day of December. I have stated these facts to show that Assistant Agent Porter could not have known that I had the money to buy the surplus corn, and that I could not and did not know that he had made any arrangement to procure it. Without money to buy their surplus corn, Mr. Porter had to make an arrangement with some party who had. The corn had to be distributed in the neighborhood where it was raised, for want of teams to do any other way. When the corn was bought, the destitute got an order to go to the seller and get his share. The way the distribution was made was the only way it could have been done.

Colonel Phillips says, "in many cases there was no corn to get." In a few cases the corn bought was not delivered, but in every case where the corn was not delivered which came to my knowledge I stopped the payment, and when only a part was delivered the party got pay *pro rata* for the part delivered. It is not true that the parties had to convert their orders into certificates of deposit. In every case within my knowledge where they did not get the corn on their orders they were returned to me, and were generally furnished with corn procured from others. But in no case, so far as I know or ever heard, did any one ever get pay for corn not delivered, or transfer their orders for corn into certificates of deposit. It may have been done before the 5th day of December, but I do not believe it was, and I know it was not done afterwards.

Colonel Phillips says they received their pay in checks "thirty days after date." I am informed that as the transfer of the corn from seller to the destitute could not be done in every instance under the eye of the assistant agent, and some might not deliver according to contract, (there are some roguish Indians,) it was thought best not to pay until it could be known that they had delivered—a very wise precaution, and one that met my hearty approval. If they had been paid in hand, and then had not delivered the corn according to contract, loss would have been sustained and no security.

Colonel Phillips says many of the certificates are yet unpaid. When about one-half the checks were paid, McKee ran short of money, and had to send to Fort Smith for money. In about eight days the money came. Since that stoppage, and up to this time, these checks have been promptly paid as fast as presented. If any remained unpaid January 17, the date of his communication, it was for no other reason than because they were not presented.

I would further say that my long absence, the impossibility of getting supplies by land from Kansas, and the suffering condition of the destitute women and children, compelled Mr. Porter to attempt something for their relief. The only source of immediate supply for wants which could suffer no delay was the surplus corn of the Indians. Mr. Porter had no money to buy with, and on consultation with the Indian council and Mr. McKee an arrangement was made by which McKee & Co. were to pay for the surplus corn and let it be distributed among the destitute. The council furnished two men in each district to purchase and distribute the corn. This was at the time satisfactory to all. If it is not now satisfactory, outside influence has, I presume, produced the dissatisfaction. One thing is certain, that I heard no complaint until the corn was bought and distributed to the destitute and most of the checks were paid, and then for the first time I heard there was something wrong. The complaint was made, not by the Indians, but by these *à la* friends of the Indians—white men who had no other motive than pure benevolence towards the Indians, a pure love of justice, and a sincere desire that none but their own dear selves should be allowed to make money out of Indian contracts. I have never yet heard an Indian complain of the transaction. The only complaint of the white men who do complain is that McKee & Co. made money too easily.

Again, Colonel Phillips says, "The cattle proper to use are not those in our rear, but those in front, leaving the others in case the enemy move in front." The enemy was west of him, and he was on the west side of the Cherokee nation. I am not a military genius, but it seems to me his front was, or ought to have been, westward, and his supply of beef has generally been drawn from the east in the Cherokee nation, wherever it was the most easily come at, and particularly when there was the least danger in coming at it. I am pretty sure the contractors followed the military example, and for precisely the same reasons. The colonel's theory was right, but the practice was wrong.

Again, Colonel Phillips says, "I also find they (the contractors) would not let the Indian people take out their own cattle when they had proven them, but compelled them to take a receipt for contractors' beef." I do not know what "a receipt for contractor's beef" is, never hearing of any such thing before. I cannot understand to what he can refer. The Cherokees generally come to me with all their complaints, real and imaginary. No complaint has ever been made to me by any one that the contractors refused to give up their cattle when they proved them, and I do not believe such a case exists except in the fruitful mind of Colonel Phillips. An Indian generally asserts all his rights, and, if he has the power, enforces them by the shortest road. The Cherokee Indians are sufficiently intelligent to know what their rights are. There are twenty Indians to one white man at Fort Gibson, and they have the power, and if so gross an outrage had been done them as Colonel Phillips charges, everybody who knows anything of a Cherokee knows that instant redress would have followed the wrong. I do not believe one word of the statement. Perhaps Colonel Phillips could give several lively examples of an Indian's willingness to resist what he thought to be oppression, when orders issued by no less a personage than a colonel commanding have been defiantly violated, and no punishment has been inflicted or attempted from pure fear of the consequences.

Again, Colonel Phillips says, "The truth is, the whole affair is so infamous that I blush, for our federal officials, to write you about it." This is his conclusion. The facts, as he pretends he understands them, are stated in other parts of his communication. A contractor is not a "federal official," and is not so understood to be by Colonel Phillips. Admit all his statements to be true as he states them, is there a single statement or transaction with which a "federal officer" has had any connexion, directly or indirectly, which could cause a blush to mount the cheek of an honest man? In this out-of-the-way place a "federal official" is sometimes compelled to do, or ought to do, things which, under other circumstances and at more accessible places, would not be advisable. It is an easy task to sit amidst plenty, or where plenty can be commanded, and adjust the scales of justice nicely. Not quite so easy at Fort Gibson, where there is comparatively nothing, and three hundred miles from any base of supplies. I would further add, that if the conduct of "our federal officials" has caused him to "blush," they have touched a chord in his amiable bosom rarely, if ever before, reached, but the more memorable and conspicuous from being rare.

Colonel Phillips says, "The Indians butcher them" (the cattle furnished by the contractors) "themselves, and furnish the hides to the contractors." I have not furnished the Cherokees with beef for more than a year. When I did so furnish them, the hides were not claimed by the contractors, nor furnished them by me. But I found them not worth taking care of, for the reason that they were carelessly taken off, and no way of taking care of them, exposed to sun, rain, and snow, the best carried off by anybody who wanted them. Land transportation was so high, and the quality so poor, that, after

all deductions were made, they were not worth saving. Many thousands of hides were suffered to rot on the ground because nobody at Fort Gibson would take care of them and take the hides for pay. How they are now disposed of I do not certainly know, but Major Cutler, the Creek agent, who alone is supplying Indians with beef, can best explain. I have been in a position where I could, most likely, have seen if any hides had been furnished by Major Cutler to the contractors. I can say that I do not believe there has ever been a hide furnished by him or anybody else to the contractors.

Again, Colonel Phillips says, "I find that McKee, a licensed trader," &c., "has driven stolen cattle from the Indian nation. I propose arresting him, and trying him by military commission if I catch him." I do not believe a more unmitigated misrepresentation was ever made. I have never heard, and do not know, that McKee and Co. ever drove a hoof of cattle from the nation, stolen or otherwise obtained.

Again, Colonel Phillips says, "They have presumed, since I left, to commence a banking establishment among these Indians, and have flooded the country with their certificates of deposit, which I cannot permit under law of my camp." The facts are, that McKee & Co. purchased nine thousand and odd bushels of the surplus corn of the Indians, and gave a certificate of deposit in their favor, in substance, a note, payable in thirty days, for the amount. This was all the "flooding" of which I have any knowledge. If there ever was any other transaction like banking I do not know it, never heard of it until I read his letter, and do not believe it.

With the corn contract and transactions of which Colonel Phillips complains I had nothing to do, all having transpired in my absence from the nation. When I returned to the nation, on the 5th day of December last, with the money (\$10,000) to buy the surplus corn, I stopped McKee & Co., and from that day forward I bought the surplus corn at \$2 50 per bushel and paid the money in hand, until the 16th day of March, 1865, when I raised the price to \$3 per bushel. I had to the last-mentioned date bought and distributed 2,180 bushels. I am yet buying and distributing all I can find for sale.

With the cattle and mode of procuring them I had nothing to do. They were furnished exclusively for Indians over whom I had no control.

These seem to be the only transactions of which Colonel Phillips complains in which I could possibly be implicated. But supposing that others might think that, being Indian agent, I ought to have seen and at least tried to prevent conduct so flagrant as to make Colonel Phillips blush, I thought it proper to answer a letter more in detail than I otherwise would, and this is my answer. Some of his statements, made as charges, are not only innocent, but right and proper. Some are gross exaggerations, and many are wholly false. Whether he believes them himself I cannot say. What a weak, malicious, vindictive, and suspicious person can work himself up to believe, I think cannot be certainly known. If Colonel Phillips believes the charges he makes, which I doubt, I presume some of these influences, or all together, have produced this belief.

With great respect, your obedient servant,

J. HARLAN, *United States Indian Agent.*

Colonel COFFIN,

Superintendent of Indian Affairs, Southern Superintendency.

No. 96.

TEMPORARY AGENCY OF CHOCTAWS AND CHICKASAWS,
Fort Smith, Arkansas, September 19, 1865.

SIR: In accordance with the requirements of the Indian department, I

have the honor to herewith transmit my annual report of the condition of the Indians under my immediate supervision.

Until within a few weeks, the territory occupied by the Choctaws and Chickasaws has been in such an unsettled condition, that it was not deemed prudent to venture into it; consequently my report will not be as full and complete as to statistical information as I could have desired it to be.

A part of the information contained herein has been obtained from the delegates of the nation who have attended the council now in session at this place, several of whom are persons of intelligence and education, and who have cheerfully given me all the information within their power.

From the most reliable information I have received I am led to believe that the number of persons comprising the Choctaw and Chickasaw nation is about 17,000 souls.

The sanitary condition of this people is said to be good.

From the fact that during nearly the whole of the rebellion the rebel armies have occupied the nation, and many of the Indians who joined them having constantly remained in the vicinity of their homes, they have not suffered by the destruction of their property to the same extent as have the various tribes surrounding them.

Before the outbreak of the late rebellion, a large proportion of the wealth of the people of the nation consisted of horses and cattle, the principal part of which were used by the rebel army, and their allies who fled from the north side of the Arkansas river, thus leaving about one-third of the people destitute of the means of subsistence.

In this connexion I deem it my duty to inform you that there is a class of whites who have lived among these Indians for several years, who are now taking advantage of their knowledge of the country to drive out large droves of cattle, without paying their owners sufficient, if any, compensation therefor. This thieving is carried on to an alarming extent, and droves are continually passing out of the nation over all the public thoroughfares, but more especially over those leading to Little Rock and Fort Smith, Arkansas.

Without any means or force which I can command for this purpose, I find that I am entirely unable to check this illegal traffic, and I would respectfully suggest that to prevent it, as well as to check any disturbances which may arise among the Indians themselves, growing out of former feuds, a sufficient force should be stationed at different points within the limits of the nation, and maintained there until peace and harmony are entirely restored.

I am informed that in the southern portion of the nation, or Red River country, the crops have been unusually good, and that abundance has been raised during the present season to provide amply for that portion of the people of the nation, provided the rebel Cherokees and others, not citizens of the nation, are removed from among them.

This state of things, however, does not exist among the people who are returning to their homes in the extreme western and northeastern portion of the nation. Having been away from their homes, and in the rebel army, for nearly three years, they now find themselves in a condition of extreme destitution, and actually suffering for the necessaries of life, and undoubtedly will have to be supplied by the government until another year will enable them to shift for themselves.

I would respectfully recommend that, in order to enable them to prepare for agriculture, they should be supplied with the necessary implements, such as ploughs, &c.

There is one subject to which I would respectfully call your attention, and which I believe is a matter of great importance not only to the people of this nation, but also to the nations and tribes surrounding them, and the

baneful and pernicious influence exercised over these Indians by the white men who have mixed among them, by marriage, by adoption, and by tacit consent, without any direct permission.

To these men I attribute the disloyalty of the Choctaw and Chickasaw nation. They organized and led the rebel Indian regiments, and I firmly believe that the same men who are now so anxious to be permitted to remain in the nation as traders, &c., were the principal emissaries of the rebel government, and, through their influence, caused the people of the nation to throw off their allegiance to the government of the United States. With reference to their cases I am of the opinion that strict justice requires that they should be imperatively ordered out of the limits of the nation, and severely dealt with should they return unauthorized.

The Choctaw and Chickasaw nation are deserving of great praise for the interest they have always manifested in the subject of education, and in this respect they are far ahead of their Indian neighbors. They are well supplied with academies and boarding-schools, where the children of the wealthier class have been well educated.

As the happiness and prosperity of any people, whether white or Indian, depends upon the general diffusion of knowledge among them, and in no way can this be accomplished as well as by their education, I would earnestly recommend the establishment of a common school system in this nation, where the children of all classes could receive a liberal education at such rates as will be within the reach of all.

From all the sources of information at my command I find that this people are much opposed to a territorial form of government, much preferring to live under their former tribal laws.

I have heard no reasons given for this preference, except the very vague one that their people could not understand the workings of the new system.

I am happy to be able to inform you that the abolition of slavery does not meet with that opposition from the majority of this people that I had believed it would; on the other hand, they manifest satisfaction that the subject has been finally settled.

With this report submitted, I have the honor to be, very respectfully, your obedient servant,

ISAAC COLMAN,
United States Indian Agent.

HON. ELIJAH SELLS,
Sup't Indian Affairs, Southern Superintendency.

No. 97.

OFFICE OF TEMPORARY SEMINOLE AGENCY,
Neosho Falls, Kansas, September 1, 1865.

SIR: I respectfully submit the following as my first annual report. On the 1st day of April, 1865, I entered upon the discharge of my duties as agent of the Seminoles, having relieved Major George C. Snow, appointed to the Neosho agency. I found in camp, near this place, about five hundred refugee Seminoles, the greater part of them—women and children. Nearly all the men (of the loyal portion) enlisted in the service of the United States, upon the occupancy of the Indian country by the government, and have served faithfully until honorably discharged at the end of the rebellion, proving themselves as trustworthy, brave, and loyal as any soldiers in the service. There are no records in this office showing the number of the tribe when they lived

in their own country; but, from the best information I can get, I learn that at the breaking out of the rebellion the Seminoles numbered about twenty-five hundred, about half of whom remained south and joined with the enemies of our country, and to-day I doubt whether they could muster two thousand all told.

From three to five hundred of the loyal Seminoles have, for the past two or three years been living at Fort Gibson, subsisted by the government. These persons are the families of the men in service at that place. In obedience to the instructions of the Commissioner of Indian Affairs, I purchased some farming implements and seeds, and rented, for the Indians, fifty acres of land, all that I could hire, for them. The Indians immediately went to work, with commendable industry, and exhibited a knowledge of farming far beyond my most sanguine expectations. They prepared the ground and put in their crops of corn and garden produce in good order, and kept the ground in condition to secure good crops. The total expenditure for farming implements and seeds was less than four hundred dollars, and their crops on the ground are worth at least twenty-five hundred dollars. They were very anxious to plant more land, and if I could have rented the ground for them, enough would have been raised by them to have subsisted them this year. The Seminoles are considerably advanced in the knowledge of agriculture. Before the rebellion, in their own country, they annually raised large crops of wheat, corn, and other products of the farm. They owned large herds of cattle, horses, hogs, and sheep, and lived in peace with their neighbors and among themselves, surrounded by all the substantial necessities of life. The refugees here are longing to return to their homes and commence once more the cultivation of their deserted and desolated fields, to re-establish their churches and schools, and to continue in the march of progress and civilization. It would seem that too much encouragement could not be given them by the government, in their praiseworthy efforts in the pursuit of knowledge. These Indians are very tenacious about the individual rights of property. They do not want to own property in common. They seem to want the exclusive ownership and control of their own cattle, horses, farm products, or other property, with the right of trade and barter among themselves and with white men. Should the government encourage this sentiment among them, establish inalienable head-rights or farms, assist them with a liberal hand in the agricultural pursuits, establish schools where the youths could be taught to read and write, the natural sciences, and practical agriculture, (after the plan of our agricultural colleges,) I am satisfied the most economical and satisfactory results would be accomplished. To civilize the Indian he must be taught simple, useful, and practical lessons. Great patience must be exercised, and perseverance, with a determination to overcome all obstacles in the way of success. The westward march of emigration, the encroachments of the whites upon the homes of the Indian, has forced upon the government the solution of the question, *now* what shall be done with the Indians? They must give up the chase, for that means of subsistence is failing them every day; and what can be done with them but to teach them practically the art of cultivating the soil, of living by the products of their own labor? The Seminoles have enjoyed a remarkable degree of health during the past year. I believe no adult person has died. During that period no physician has been employed for them or medical stores furnished for their use. This plan of dispensing with the services of a physician and drugs was adopted by the necessities of retrenchment in the expenditures, but the results have proved very satisfactory.

I respectfully urge the return of the Indians to their homes in time for making a crop next year. To enable them to put in crops next season they must be at their homes as early as the 1st day of March. To accomplish this

result, I suggest that they be removed to the Creek country this fall, as I am informed their own country is too much disturbed to render it desirable to put them on their own lands this fall. This course the Indians are very anxious to pursue. They want to be with their friends, the Creeks, and near their own lands, so that they may watch and care for what little property they may have left, until spring comes. From the Creek country they would find their way home without any further expenses to the government. I have endeavored, from time to time, to keep you thoroughly advised of my operations under instructions from the honorable Commissioner of Indian Affairs and your orders, looking towards putting a final stop to the robbery of Indian stock that has been so openly carried on for the past three years. The timely and wholesome instructions of the department, which I have endeavored faithfully to follow, have, I trust, put such a check upon this shameful traffic as to lead us to hope that it will soon entirely cease.

Very respectfully,

GEORGE A. REYNOLDS,
Agent for Seminoles.

Hon. E. SELLS,
Superintendent Indian Affairs, Lawrence, Kansas.

No. 98.

OFFICE OF TEMPORARY SEMINOLE AGENCY,
October 2, 1865.

SIR: Since submitting you my annual report, under date of September 1, 1865, I have, in obedience to orders, visited Fort Smith with a delegation of loyal Seminoles to meet the honorable commissioners on the part of the United States in treaty council. At that council I met a delegation of Seminoles, lately allied with the States in rebellion, and from them I learned some statistical and other information I desire to lay before the department. Some time in November, and soon after the signing of the treaty on the part of the Seminole nation with the enemies of the government, the authorities at Richmond appointed an agent for the southern Seminoles, who immediately took possession of the Seminole agency and all the books, records, and documents of the office. As that part of the Indian country was not at any time during the war held by our armies, he continued to occupy the agency until the close of the rebellion. The books and papers of the agency have all been preserved, and are now boxed up and deposited for safe-keeping at Fort Washita. The agency buildings are all saved, but will require the expenditure of about \$1,000 to make them inhabitable, no repairs having been made on them during the past eight years. The southern Seminoles are now located on the Chickasaw lands and number about one thousand, who have been for the past four years receiving annuities from the late confederacy, the last payment having been made in March, 1865. These Indians have made good crops this year and will do very well, except that they greatly need some clothing. The great desire of all the Seminoles seems to be to have the means of improvement and civilization placed in their hands. They want schools and churches re-established, farms opened up, residences built, and mills and manufactories erected. The Seminoles are an agricultural people, and, before the war desolated their country, raised large crops of corn, wheat, and other products, with large herds of cattle, horses, and hogs; but now all is gone. Their flocks and herds have been driven off by the necessities of enemies of the country and the avarice of pretended friends, until their coun-

try is uninhabited, and their improvements completely destroyed and laid waste. The Seminoles have nearly four million acres of land lying west of the Creek country. If it is the policy of the government to remove the Indians from Kansas and elsewhere, and locate them in the Indian country, I respectfully suggest the propriety of purchasing all or a portion of the Seminole country, and locating the Osages of Kansas upon that land. The Osages are, perhaps, the most numerous tribe in Kansas—a tribe that has never adopted any of the habits of civilization, and live entirely upon the products of the chase. On their present reservation, in the State of Kansas, they are far away from the buffalo range, requiring weeks to reach their hunting ground. The whites are settled all around them and are crowding them west and encroaching upon their lands. Frequent depredations are committed by these Indians upon white settlers, annoying them in killing their cattle and stealing their horses and selling them for provisions and trinkets. To permit these Indians to live in Kansas beside the whites, is demoralizing to the Indians and greatly retards the progress of the State. Both would be vastly improved by removing the Osages upon the western portion of the Seminole country near their hunting grounds, away from the evil influences which now surround them, and to a country adapted to their present mode of living. Such an arrangement I am satisfied could be made with both the tribes of Indians, and, I presume, on terms that would meet with the approbation of the government. The Seminoles should be placed on small tracts of land or head-rights, and nearly all of their annuities expended in the improvement of their farms. Such a disposition of their funds, I am satisfied, is what they desire, and is for their best good. I respectfully call the attention of the department to the subject of removing the Osages upon Seminole land, and extending proper encouragement to the Seminole people in their efforts to advance in civilization, as subjects, in my judgment, worthy of careful consideration at the hands of the government.

Very respectfully, your obedient servant,

GEORGE A. REYNOLDS,

United States Indian Agent for Seminoles.

Hon. E. SELLS,

Superintendent Indian Affairs, Lawrence, Kansas.

No. 99.

CHEROKEE AGENCY, CHEROKEE NATION,

October 1, 1865.

SIR: Since my last annual report the late rebellion has been put down, and peace restored to this frontier and to the Cherokee nation. All suffered by the war, but it was disastrous to the Cherokees more than to any. Taking but little interest in the causes of the war, and not seeing that they had anything to gain or lose by it, they were reluctant to take part in it. Under the advice of their chief, John Ross, they assumed a sort of "Kentucky neutrality," and this was thought practical by many better-informed persons than the Cherokees are. Even in Kentucky, where they owed and had sworn allegiance to the United States, some of their best and wisest men thought the position defensible. We might excuse the Cherokees for taking the same ground. This neutrality notion was maintained in the Cherokee nation, as it was in Kentucky, for a time, until thirty regiments in Kentucky, and one in the Cherokee nation, were raised for the rebel army. But the Cherokees, by rebel leaders, were induced to enlist one regiment,

(Drew's,) under the promise that they should not be required to leave the nation, but to remain in it to defend it against all enemies. They soon saw that they were deceived, and that they were to be transferred to the rebel army, and 600 of the regiment deserted the rebel and enlisted in the Union army, which, with one other regiment, making two regiments of Cherokees in the Union army, amounted to twenty-two hundred men, who served during the war, and did as good service as any troops we had on this frontier. About two-fifths of the Cherokees joined the rebel army, and about three-fifths joined the Union army. Of those who remained true to the Union cause almost all joined the Union army, as well those who were able for the service as many who were not; old men and boys, and those who were decrepit and infirm, enlisted, willing to do what they could.

In the winter of eighteen hundred and sixty-two the rebels were driven, for a time, out of the Cherokee reservation, which they had generally held up to that time. The Union army, after the battle of Prairie Grove, was withdrawn, and the rebel forces again held their country, and then the utmost effort of the rebels was exerted to strip the Cherokee country of everything of value to them, or which would be a loss to the loyal Cherokees. They succeeded in getting out a large portion of their own and more of the Union Cherokees' property. Before the rebel forces had fairly commenced moving in the spring of 1863, the Union army, consisting mostly of the Union Indians, entered the Cherokee country and occupied Fort Gibson. The rebels still occupied the southwest bank of the Arkansas river, from Fort Smith to thirty miles above Fort Gibson, and as much further as they chose. There was no Union force above Fort Gibson. From their camps on the southwest bank of the Arkansas, marauding parties crossed over into the Cherokee country, and murdered and captured whom they pleased, plundered all the loyal Cherokees of everything they wanted—horses, mules, cattle, sheep, hogs, wagons, farming implements, beds and bedding, blankets, clothing, and household and kitchen furniture, and ornaments. Everything they could use, or the enjoyment of which would be of service to the loyal Cherokees, was burned and destroyed—everything which they could not carry or drive away, as growing crops, houses, fencing, mills, and machinery. They murdered all the old men and boys large enough to aid their wives and mothers in raising a crop whom they could catch, and threatened the women with a like fate if they did not abandon their crops. The women left their houses and crops, and lost them. During the year eighteen hundred and sixty-three the enemy, six or seven hundred strong, crossed the Arkansas within five miles of Fort Gibson, where we then had more than three thousand soldiers encamped on the prairie, within sight of Fort Gibson, remained there all night, and in the morning, between nine and ten o'clock, surrounded the herd of horses and mules belonging to the United States and others, mostly Indians, killed over twenty herders, captured several, and drove off between twelve and fifteen hundred head of mules and horses without resistance, and retired with their booty without pursuit. I know this does not agree with the military account—it ought not to agree—mine is true. The military bulletin of that morning reads, "The enemy in large force made a vigorous attack this morning at nine o'clock on my position at Fort Gibson. After a sharp engagement I repulsed him handsomely. He, however, succeeded in driving off a small amount of stock." "Later: I just learn from my scouts that the pursuit was vigorous; that most of the stock was recovered."

Throughout the whole summer, fall, and part of the winter of eighteen hundred and sixty-three, these depredations were continued. If ever the robbers lost any of their plunder by a military pursuit, or when they came over were prevented from getting full loads of it, I never heard of it. The

fore part of eighteen hundred and sixty-four was just as disastrous to the Cherokees as eighteen hundred and sixty-three, and the latter part would have been if there had been anything belonging to the loyal Cherokees worth coming after. Their poverty, not our arms, protected them from their enemies. Nobody ever can know how much of the property of the loyal Cherokees was stolen by the rebel bushwhackers. While the rebel enemies were robbing and burning their property, their Kansas friends and some others were equally busy, more numerous, with more facilities for carrying away, and equally active in stealing it. That they did three times in value the amount of stealing done by the rebels I am pretty confident; and such is the opinion of many who have had better opportunities of forming correct judgment than I have had.

The Kansas mode of getting cattle was about this: A man, wishing to get Indian cattle, went to some general, or the post commander, or to the superintendent of Indian affairs, and got a license to buy cattle in the Indian territory; he then arrived with his license, without money, and only a cattle whip, raised a company of some white men, and mostly Osage and Wichitas Indians. They went on until cattle began to be plenty; the gentleman of the license came to Fort Gibson, proclaimed his business was to buy cattle. He did not come to steal, not he! He intended to buy and pay a fair price; went to the post commander, showed his license, proclaimed his intentions not to be as others were, to steal; he could make by fair trade as much as he wanted. He had a little money, and had concluded to turn it into cattle. He wanted to see the country, and perhaps he could make as much as would pay his expenses, and a little for his time. He was not seeking to get rich, only wanted "to live and let live," and any amount of just such stuff.

They were all alike. It looked as if they had all been educated in the same school; flattered the commanding officer and got his license indorsed. They would hang around Fort Gibson ten or twelve days, still inquiring where there were large herds for sale, where he could buy at a living price. One fine morning the man was missing, and nobody knew when he went or where he was gone. In about ten days some gentlemen coming to Fort Gibson had on the way down met the licensed gentlemen with a drove of cattle, from five to fifteen hundred head, on his way into Kansas. Some with license to buy never presented their license, but at once commenced gathering their cattle, running what little risk there was of being caught, and then escaping under their license. Others, more bold, went at it without any disguise of a license, and stole all they could find, and sold them to those who were glad the stealing was done; encouraged it to be done by buying them from those who stole them, but unwilling to do it. In fact, the buyers of known stolen cattle made more money than the stealers, and the danger was somewhat less. Horse-stealing commenced with the war, and continued while it could be made to pay. Osages and Wichitas stole for themselves and for white men. White men stole them in vast droves for themselves. Wagoners hauling supplies, and going back empty, took mechanics' tools, jacks, mules and horses; sometimes they said they bought them, and sometimes they only had them in charge for others; sometimes they said nothing. I think it likely they came as honestly by their horses as the others.

I have no reliable data from which I can make any reliable estimate of the number of stock or the value, or the amount of damage the loyal Cherokees have suffered. I believe it cannot fall below two millions of dollars, and most likely to be very largely over that amount. I have been thus particular that it may be seen the value of property taken and destroyed; when it was done, and by whom it was done; the situation of the country, and the situation of the Cherokees; why they could not defend and protect them-

selves, and the greater reason why we should, above our treaty stipulations, defend and protect them, or, in default of doing so, we should make them a liberal compensation, at least, for the pecuniary losses they sustained. For their personal suffering no compensation can be made, as no pecuniary equivalent can ever pay for personal suffering.

The Cherokees have lost almost all they had but their lands, and that stripped of fences, houses, mills, and left to them by the enemy, almost as it was in the state of nature. I am sure the loyal Cherokees ought to be compensated for their losses. They were not protected as we were bound to protect them by treaty. Their loss was mostly sustained after the men were in our army, and could not protect themselves, and families, and property. But having lost almost all they had, as before shown, I am also sure that Congress, respecting the fall of trade and the losses sustained by their friends, will make an appropriation for a part of their losses, leaving the balance for further adjustment. With half a million of dollars judiciously expended they could purchase horses, cattle, hogs and sheep, and farming implements enough (and little enough too) to set themselves up again in farming and stock-raising, and may in time regain in part if not all they have lost. But with this help I fear they will never recover all they have lost by the means recited.

I do not urge their personal suffering with a belief or hope that anything will be allowed for them, but only to strengthen their just claim for property lost to them. Their school-houses and seminaries have suffered in the general destruction which the nation has suffered. Their two fine seminaries would require an outlay of many thousand dollars, before they will be fit for use as seminaries. Their school-houses throughout the nation are many of them burned down, and the bare walls of the balance only left standing.

A very few common schools exist in the nation, and this will be the case while the whole national fund has to be used to supply the destitute with food. They have no means at present to pay teachers, and it must be a long time before they will have, unless the government pays them some part of their losses in this their greatest need. Their churches, heretofore numerous and tolerably well attended, have now gone to decay, and the attendance very much neglected. The Cherokees are—and I am sorry to say it—fast very fast, going backwards in the march of civilization and Christianity. Nothing else ought to be expected from a people only partially civilized, abandoned in their weakness, unprotected by the government for nearly two years after the war commenced, and left a prey to the hate of their rebel brothers, the Cherokees and other tribes who had joined the south in the late rebellion, and worst of all, if possible, to the cupidity of white scoundrels professing loyalty; it is not astonishing that they distrust everybody, white men in particular, and that they are discouraged and disheartened, and on the backward march towards a state of barbarism. Indeed, it would be strange if they were not. The Cherokees were mustered out of the United States service on the thirty-first day of May, and it was nearly three weeks afterwards before they were paid off. The thirty-first day of May is generally too late to plant corn in this country. This year it would have done tolerably well, owing to the late rains. Almost all the corn was planted by the women and children, and partially cultivated before the men were discharged. All that the men could do after their discharge was to assist their women and children in finishing the cultivation of what had been planted. Yet I think they would have enough to make their bread if all that has been raised could be equally divided, but I am sure that cannot be done. The large surplus is in the hands of a few. Many have small surplus, and many have some, but not enough, for their bread, and many poor widows have none

and no means of buying any. Some this year will be fed to stock by those who raised it; some will be held over to feed their teams next year, while raising a crop, and much will be wasted. It is apparent that many will have to be fed until another crop shall be raised. I propose to discriminate in favor of those who have none, and those who have some, but not enough to furnish their own bread. They have raised no wheat, and those who have corn should receive a small amount of flour. Occasional changes from corn to flour would promote health, and would enable the many having a small surplus to barter more corn to those who have none.

No one can fully appreciate the wealth, content and comparative happiness the Cherokees enjoyed before the late rebellion, or very shortly after it was begun, unless he had been here and seen it, (which was my case;) and no man can believe more than half of the want, misery and destitution of the Cherokee people now. Blackened chimneys of fine houses are now all that is left, fences burned, and farms laid waste. The air of ruin and desolation envelops the whole country. None have wholly escaped. No man can pass through the country without seeing all that I have attempted to describe, and no man can fully appreciate it unless he has seen it.

All of which is respectfully submitted.

J. HARLAN,

U. S. Indian Agent, Cherokee Nation.

Hon. E. SELLS,

Sup't of Indian Affairs, Southern Superintendency.

No. 100.

WICHITA AGENCY, BUTLER COUNTY, KANSAS,
September 18, 1865.

SIR: In compliance with the requisitions of the department, I have the honor to submit this my second annual report of the condition of the several tribes of refugee Indians belonging to the Wichita agency. The Shawnees of this agency, numbering a little over 500, are a portion of that tribe, who have long been absentees from the tribe proper, and have been living by sufferance wherever they could find temporary homes and friends. They are now located within the geographical limits of Kansas, on the Big and Little Walnut creeks, and on the Osage reservation. Negotiations are now under way by the leading men of the respective divisions of the tribe, with a view of consolidation, which I think will result favorably, and I hope may prove materially beneficial to the refugee portion of the tribe, and secure to them a permanent home. The Wichitas, and several other of the affiliated tribes, are located near the mouth of the Little Arkansas river. They, too, are refugees—not properly from their homes, for they had none, but were, previous to the war, living on lands leased for their use from the Choctaws in the vicinity of Fort Cobb, in the Indian territory. They very sensibly feel their dependent condition, and are very anxious to be located at some point which they can claim and hold as their own. It is earnestly to be wished that the government will, at the earliest practicable period, provide for these wandering tribes a permanent and eligible locality suited to their wants and condition. On several heads required to be noticed by agents, such as schools, mechanic arts, &c., there is nothing within my agency to report. In April last, by going myself into the market, a small supply of farming implements and a full supply of seed were procured and distributed to the Indians, and they went to work earnestly, fencing and preparing

their grounds, and planting their fields and patches, and the prospect of an abundant yield was good until the high waters in July ruined a large portion of their crops, they being nearly all on the "bottoms," but not subject to overflow except in extreme high floods. The whole number of people of this agency is a fraction over 1,800. Either from a misapprehension on the part of the authorities of the real destitution and wants of these people, or that other classes are more needy, they have had but a very limited and very inadequate supply of the actual necessities to sustain life during the last year. They are, generally, very poor; except a portion of the Shawnees and Caddoes, they are *very* poor and destitute. Among the Shawnees there is a large proportion of widows and orphan children who have no means whatever of sustaining themselves.

From the 1st of April to the 1st of October, 1864, they were not supplied by the government with any provisions whatever. For eleven months, from October 1, 1864, to September 1, 1865, I obtained for distribution 443 sacks of flour, 3 bags of coffee, 3 barrels of sugar, and 300 pounds of rice. They have also had within that period 1,300 pounds of bacon, and nine head of beeves, great and small. Now in other agencies, whatever may be the pecuniary condition of the people, they all share alike; but in this I have been compelled, in order to keep them alive or prevent extreme suffering, to restrict my distribution to about 1,200 of the most destitute.

The quantity of flour received would give to these 1,200 a daily issue of about one and three-fourth ounces; and just enough sugar and coffee for them to quarrel over, but not enough to do them any good.

They have also had about a corresponding quantity of clothing during the same period, but a quantity entirely inadequate to their wants. Whatever causes may have existed to require this curtailment of supplies to these people, or inattention to their wants, certain it is that it has not been from lack on my part to often and earnestly represent their condition, and ask for aid; and in every instance where anything has been obtained for them, I have had to go to Leavenworth or Lawrence and solicit it.

The general health of the tribes may be said to have been good; yet, from the extreme destitution to which they have been exposed, causing great debility among females and children, their numbers are decreasing at a rapid rate. The illicit cattle trade to which I alluded in my last annual report has been actively carried on, in defiance of the laws of Congress and of the State of Kansas, and the efforts of agents and the military authorities to put a stop to it. These "cattle brokers," by which name they dignify their business, are so well organized—so extensive in their operations—so many persons being directly or indirectly concerned in it, wholly unscrupulous in adopting means to effect their object, that it has been a strong current to check, but I believe is now pretty effectually done. As a fitting and appropriate climax, some of them have recently repudiated the principle of "honor among thieves," and have refused to pay the poor, misguided Indians the compensation promised them for stealing cattle for them. Since the return to their homes of the Indian soldiers, and more attention having been given to the enforcement of laws and special orders, the business has come to a sudden stop.

During portions of the year, these Indians, by industry in the chase, are enabled partially to supply themselves with provisions, and to keep up considerable traffic in robes, skins, furs, and tallow; but the advancement of white settlements makes the game more scarce every year. If it should be the policy of the government to provide some other locality for them within the next year, it should be done in time to enable them to commence their corn-planting in March, or early in April. Being absent from my agency (to at-

tend the council at Fort Smith, Arkansas) for a longer period than anticipated, I have prepared this report without the aid of some statistics of classification of the Indians of my agency, and some others, rendering it less full and less satisfactory than I could wish.

I am, very respectfully, your obedient servant,

MILO GOOKINS,

U. S. Indian Agent, Wichita Agency.

Hon. E. SELLS,

Sup't Indian Affairs, Lawrence, Kansas.

No. 101.

TEMPORARY CREEK AGENCY,

Fort Gibson, September 20, 1865.

SIR: In accordance with the regulations of the Indian department, I have the honor herewith to submit the following, my first annual report of the condition of the Indians within this agency:

On the 19th of June, 1865, I received my appointment of agent for the Creek nation, and after many hindrances by flood and field reached this place July 25, 1865, and took immediate control of the agency.

It may be proper here to state that, on receipt of commission, I was directed by the honorable Commissioner of Indian Affairs to report to you, at Leavenworth, Kansas, for orders, which I did on the 1st of July, 1865; whereupon I was ordered by you to relieve George A. Cutler, who was then agent for the Creeks, who at the time was in Kansas. I met him in Lawrence, Kansas, July 6, 1865, when he formally turned over to me the books and papers of the agency, together with a few blank vouchers, alleging that he had nothing more of the property or moneys of the government in his hands, for which I then and there gave him a receipt. On arrival found no vouchers there.

Fort Gibson is on the north side of the Arkansas river, near the confluence of the Grand and Verdigris rivers. All three rivers flow together at the same point. The Grand and Verdigris rivers usually afford an abundance of water for the navigation of steamboats, where they can come to this place, which they have done the entire spring and summer.

On my arrival here I found the loyal Creeks divided into parties, on the point of breaking into open war with each other—in such a condition that it was with great difficulty I could transact the business of the agency with them. I at once set about to heal the dissensions, if possible, and am gratified, after much talking and exertion on my part and the influence of others, to inform you that I have succeeded, and that we are now at peace with ourselves; and, moreover, concluded lately, at the grand council at Fort Smith, friendship and good neighborhood with the disloyal Creeks, and have invited them back to their former homes and rights, under treaties heretofore made with the government. The loyal Creeks are living in and near Fort Gibson, some on Cherokee lands, most of them on their own lands near by. They would have settled entirely on their own lands last spring, but that it was dangerous to be very far removed from the protection of the garrison stationed at this place. So soon as their little crops are gathered they will remove on to their own lands, on the south side of the Arkansas river, to be in readiness to make themselves self-sustaining the coming year; and to do so, there should be an ample supply of ploughs and other agricultural implements in good season for the work. Their crops have turned out

better than could have been expected from the fact that the most of the ground tilled by them was never broken, but put in with the hoe, and worked throughout with the hoe. The crops planted on the bottom lands were badly injured, and quite a number entirely destroyed by the unusual freshets in the rivers in the fore part of the month of August. About one-half of the people will have corn enough to do them, by proper care; the other half, one-fourth, will have enough from their little patches to last them through the month of October; the other fourth did not plant, consequently cannot expect to reap, and must depend on government for subsistence. It certainly would be greatly more to the advantage of the Indian race if their money annuities were used to supply them with the necessary equipments for farming, by which they could properly cultivate their farms, and thus learn to be independent; in fact, the Indians would be infinitely better off to-day had the government never paid them one cent in money; enough has been and is paid them to make them fit picking for knaves and scoundrels, who stoop to any means to rob and plunder. I deem it absolutely necessary to the maintenance of the Indians of this nation that the ration be continued, as stated to you in my communication of the twenty-first of August. It is a source of gratification to know that the government is determined to make a change in the policy heretofore with the Indian tribes, by so far as possible removing all into an Indian territory, and inducing them to adopt our form of government, which we think is far better for them than their scattered tribal condition. A big stride has been taken in this direction at the grand council now in session at Fort Smith, Arkansas, for which the government will be under lasting obligations to Commissioner Cooley and his advisers, who are so ably negotiating for the good of the government and for the best interest of the Indians. In my letter above referred to, I informed you that I had visited the place where the Creek agency was located before the war broke out; nothing is left now to mark the place where it stood, except lonely, dilapidated chimneys, and here and there solitary pairs of gate-posts; the fences all burned; yards and garden plots all grown over with weeds and briars. I do not like the location, apart from the desolation that reigns all around; there is no running water near the place, or timber for building purposes or for fuel. Seeing that new buildings have necessarily to be erected for the agency, and the boundaries of the reservation likely to be changed, it would certainly be to the advantage of the Creek nation to make a new selection. In the mean time, however, some expense must be gone to for the purpose of getting an abiding place for the agency, which ought to be done without delay. The fall winds are upon us, and the frosts of winter near at hand. My people, a majority of them, are nearly destitute of clothing of any kind. I earnestly call your attention to the fact; if neglected, I shall not wish to remain here to witness the consequent suffering.

Arriving here on the 25th of July, and leaving on the 29th of August, by your order, to attend the council at Fort Smith, I have not had time, in the midst of other pressing duties, to take the census of the Creeks. I greatly regret it. I propose, as soon as possible, to get up the enumeration, and forward to you. On my arrival here I visited the mission property, some ten miles west of here, on the north side of the Arkansas river, before the war a flourishing institution of learning, under the care of the Presbyterian church, the good effects of which are marked and clearly seen among the people at the present time. The buildings are all still standing, but badly abused; the window-sash all gone, as well as most of the doors, and many of the floors of the rooms torn up and carried off; the bell still swings in its accustomed place. No fencing anywhere; fruit-trees and shrubbery mostly destroyed. The building is of brick, three stories, with a wall of some

height, about one hundred feet by eighty feet. I have now a family in the building, and hope to keep it from further destruction.

The last four years has been a struggle for existence; consequently, the education of the youth has been, for the time, neglected. Now that peace has returned to our borders, and the people are returning to their homes with the assurance of quiet, provision should be made for the proper education of the rising generation, who are soon to take their places amid the busy scenes of active life,

All of which is respectfully submitted by your obedient servant,

J. W. DUNN,

United States Indian Agent.

Hon. E. SELLS,

Superintendent Indian Affairs.

No. 102.

OFFICE NEOSHO AGENCY,

Neosho Falls, Kansas, September 25, 1865.

SIR: In accordance with the regulations of the Indian department, I have the honor herewith to submit the following as my annual report of the condition of the Indians under my charge during the time of my connexion with them:

I was appointed to this agency last March, and relieved Agent Elder, and took charge of the office the first day of April. I found the Seneca, Seneca and Shawnee, and Quapaw Indians encamped on the Ottawa reservation. When in Washington a letter was placed in my hands from the headmen of these tribes, stating that the time agreed upon with the Ottawas for them to leave their present location was near at hand, and they would soon have to move to some other place. I then received verbal instructions from Commissioner Dole to move these people to their homes as soon as practicable. On the 12th of April I received a letter from Agent Hutchinson, requesting me to move them off the Ottawa reservation at once. I employed teams and moved them eighty miles south, about half way to their homes, and located them on Big creek, a healthy and convenient location. The weather was unfavorable and roads bad, and I did not get them to their destination until it was too late for them to put in much of a crop. They planted a small quantity of seeds, and have raised some corn, pumpkins, potatoes, and other vegetables, which have been a great help to their health and subsistence. These Indians have been under the immediate charge of Special Agent Mitchell, who has been with them all the time, and labored faithfully for their health and comfort. They have been remarkably healthy. The refugees number, in all, 670 souls. We moved them as near their homes as we then thought it safe, as their country had been during the war a rendezvous for guerillas and bushwhackers. In June I accompanied a party into their country to see its condition; I found that all their stock had been driven off, their houses and fences destroyed, and the agency buildings burned to the ground. These Indians have attained a degree of civilization, a knowledge of agriculture and domestic economy, truly commendable. Now, as tranquillity is restored, and they can return to their homes without danger to themselves or property, they only need the return of their *lost* property, and well-regulated schools among them, to place them in a happy and prosperous condition in the future.

The total number of Osages in 1859 was thirty-five hundred. I think now,

from the best information I can get, they will number less than twenty-eight hundred. At the beginning of the war near one thousand went south. All have returned but Black Dog's band and a part of Clamor's. I saw Black Dog at Fort Smith the 16th instant; he expressed a willingness to return and be at peace with the government and his red brethren. There is a great dissatisfaction among these Indians in regard to the treaty made with the government in 1862. They cannot see why it is that the treaty is not ratified, their payments so long delayed, and the white man permitted to settle on the lands ceded to the United States, as they are and have been for two years expecting money from the government, and have to live entirely by the chase. When they are on their hunting grounds they are uneasy and in a hurry to come in, hoping to receive some assistance from the government on their return; but they are met every time by the same answer—no money. The consequence is they come in with small supplies, and they must starve or steal. This causes them to commit many depredations on their white neighbors and other Indian tribes, in killing cattle and stealing horses to trade for provisions. The illegal and nefarious system of cattle-stealing carried on around and through their country by the whites has a very bad influence on these Indians. They say the white man steals; why not we? Another source of complaint is that they have received no pay for services rendered in the United States army. About 240 warriors were enlisted in the army in 1862. They served near four months; a dispute arose among the white officers commanding, and the Indians left in disgust, without being mustered out. Major Hunt was ordered by the Secretary of War to pay them, but he has not yet been able to find any muster-roll showing the time they quit the service. They complain bitterly of the government for a non-compliance with the treaty of 1839, for not furnishing and running a mill for fifteen years, and paying them certain work—cattle, carts, chains, hogs, &c., &c., as agreed on in the treaty.

These matters should be thoroughly examined and fully adjusted. A large majority of these Indians have been loyal to the government during the rebellion, and of great service on the frontier.

As I firmly believe that it will be impossible for these people to live adjacent to or on the border of white settlements in peace with their white neighbors, and as their diminished reservation is in Kansas and liable to be continually crowded by the tide of emigration, and now are at a great distance from the buffalo, I would earnestly recommend the purchase of the western portion, or all of the Seminole lands, for the purpose of removing the Osage Indians out of Kansas and locating them on these lands for a permanent home. This movement, if accomplished, would open to white settlement four million acres of the best agricultural land in Kansas, and place these Indians in a country much better adapted to them in their present state. This plan I understand to be the policy of the government—to remove all the Indians from Kansas and form them into a confederacy in the Indian territory. By pursuing this course, one of the most powerful tribes will be removed from the State. Where they are now located, and no agent residing among them, it is impossible to keep unprincipled white men from carrying ardent spirits among them. If they remain where they are, I would recommend that the Neosho agency be divided. The Osage towns are from fifty to eighty miles from where the old agency was located on the Quapaw lands, the Osages having moved further west on account of the treaty made with the government in 1862. This being the case, it is impossible for one agent to attend to all these tribes. I would respectfully call your attention to the fact that the Neosho agency is without any agency buildings, all being re-

cently destroyed by fire. I would therefore ask that an appropriation be granted to build suitable agency buildings at such a time and place or places as may be directed by the department.

Very respectfully, your obedient servant,

G. C. SNOW,
United States Neosho Indian Agent.

Hon. E. SELLS, *Superintendent of Indian Affairs.*

No. 103.

WASHINGTON, D. C., *August 2, 1865.*

SIR: I have the honor to enclose herewith a communication from Major G. C. Snow, United States Indian agent for the Neosho agency, upon a tour of discovery and observation through the Indian country, known as the reservation of lands for the Senecas, Senecas and Shawnees, and the Quapaw tribes, and cannot too strongly urge upon your consideration the importance of the recommendation therein set forth. I have authorized Major Snow to purchase a mowing machine for the use of said Indians, if by so doing they can be induced to return to their lands the coming fall or autumn.

There will be some expense attending the removal of said Indians to their former homes, but it will bear no comparison to the advantage to be derived both to the Indians and to the government. If the Indians should defer their return to their own lands until next spring, it will be too late to secure a crop for the next season, and hence the government will be compelled to feed them another year.

I have urged upon the agents the importance of impressing the Indians with the idea that they must provide for their own subsistence after the crop for the next year is matured.

The suggestion that a company of soldiers ought to be stationed at or near Baxter's Springs is worthy of serious consideration, as the only reason given by the Indians for not returning to their old homes is the danger from "bushwhackers" and thieves; a small garrison would give them the desired protection, and they would feel secure and satisfied.

Very respectfully, your obedient servant,

ELIJAH SELLS, *Supt of Indian Affairs.*

Hon. D. N. COOLEY, *Commissioner of Indian Affairs.*

NEBRASKA FALLS, KANSAS, *June 14, 1865.*

SIR: I made an excursion into the Indian territory to see the situation of the country, the extent of war damages, and to decide as to the practicability of returning the Senecas, Senecas and Shawnees, and Quapaw Indians to their homes. Our party consisted of about fifty armed men, Indians and soldiers, from the 15th Kansas volunteer cavalry. We left the mission on the 7th instant; got to the Tar Springs, on the Quapaw reservation, about 12 o'clock the 8th. On the next morning I divided my little company in four squads and sent them in different directions. I went with one squad to the Neosho agency. When I got there, I found that the agency buildings had been burned about three or four weeks; everything proved to my satisfaction that they had been destroyed on or about the 10th of May.

The stove was burned in one of the houses, and I suppose the chairs.

desks, and other fixtures were all also destroyed by fire. I did not think to look for the dog-irons. Everything looked to me like they had been burnep by accident, as the officers' room and fence were still standing.

No cattle could be found in the country. A few hogs which were wild were seen. The fences belonging to the Indians were mostly destroyed. The Senecas found their mill and thirteen houses destroyed by fire; the Senecas and Shawnees eight; and the Quapaws five, all of which had been burned some time. The Senecas found women living in two of their houses, and some horses tied in the bottom of Lost river, near those houses. We saw some fresh horse signs. I think there are a few thieves living in the brushy part of their reservation. I am fully of the opinion that there is nothing to prevent these people from moving to their homes, or near them, this coming fall.

I would respectfully ask the department, through you, to furnish us a machine to cut hay for their stock, and a company of soldiers to be stationed at or near Baxter's Springs. If this is done they can go there in perfect safety. I think if they are moved home soon, they will need much less meat for subsistence, as they can supply themselves in part with hogs and wild game.

There will be a considerable settlement near their reservation of whites; and if they are not there, their hogs and game will be used up by them.

Most respectfully, your obedient servant,

G. C. SNOW,

United States Neosho Indian Agent.

Colonel E. SELLS,

Superintendent Indian Affairs, Leavenworth, Kansas.

No. 104.

HEADQUARTERS DEPARTMENT ARKANSAS,

Little Rock, June 28, 1865.

A grand council of Indians was held at camp Napoleon, Chattatomha, on the 24th of May, at which the Cherokees, Choctaws, Chickasaws, Creeks, Comanches, Caddoes, Cheyennes, Seminoles, Osages, Kiowas, Arapahoes, Lipans, Northern Osages, and Anadokees, are said to have been represented. A solemn league of peace and friendship was entered into between them, and resolutions were passed, expressive of their purposes and wishes. They appointed commissioners, not to exceed five in number from each nation, to visit Washington for conference with heads of departments.

A delegation from this council are now at Fort Smith, and request, by telegraph, that I will furnish passports for their commissioners to Washington, District of Columbia. The question as to the expediency of such visit, at this time, is hereby submitted to you. Shall passports be given them?

J. J. REYNOLDS, *Major General.*

HON JAMES HARLAN,

Secretary of the Interior.

No. 105.

LITTLE ROCK, July 25, 1865.

The following telegram was received from Brigadier General Bussy, at Fort Smith, this morning :

"FORT SMITH, *July 24, 1865.*

"Major General REYNOLDS :

"I have just received a letter from Governor Colbert, of the Chickasaws, stating that, since his letter asking for a passport to Washington, he has been advised that arrangements have been made, by commissioners sent from General Herron, for a grand council to meet at Armstrong Academy on the 1st September, at which commissioners from Washington would be present, and that, in consequence of this arrangement, delegates would not go to Washington; but that if not notified that commissioners from Washington would not meet them in the Territory, the delegates would be sent. I will forward his letter and other papers on the subject by first mail.

"Respectfully,

"SYRACUSE BUSSY,

"*Brigadier General, Commanding.*"

From this it would appear that the delegates from the Indian nation will not probably visit Washington, as heretofore contemplated
Will forward letters as soon as received.

J. J. REYNOLDS, *Major General.*

HON. JAMES HARLAN,

Secretary of the Interior.

No. 105½.

Report of D. N. Cooley, as president of the southern treaty commission.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, October 30, 1865.

SIR : As president of the commission designated by the President to negotiate, under your instructions, "a treaty or treaties with all or any of the nations, tribes, or bands of Indians now located in the Indian country or in the State of Kansas, and also with the Indians of the plains west of Kansas and the said Indian country," I have the honor to submit the following:

The commission, as designated, consisted of myself; Elijah Sells, superintendent for the southern Indians; honorable Mr. Edmunds, Commissioner of the General Land Office; Thomas Wistar, of Pennsylvania; Major General W. S. Harney, United States army; Major General Herron; Colonel Ely S. Parker, of Lieutenant General Grant's staff; associated in the capacity of secretary and assistant secretaries were Mr. Mix, chief clerk of the Indian bureau, and Messrs. Irwin and Cook, who were detailed as employes of the government. Messrs. Edmunds and Herron declined to accompany the commission for reasons which I understand were regarded as satisfactory to the department. The residue of the commission, excepting General Harney, who arrived at Fort Smith by water communication from St. Louis, left Leavenworth, Kansas, on the — day of August, en route by land for Fort Smith, under arrangements made by Major General Dodge, commanding at Fort Leavenworth. The party reached Fort Smith on the evening of the — September, and every facility in his power was afforded it by Brigadier General Bussy, in command at the post, and the officers connected with him.

So soon as the necessary arrangements could be effected for preparing a room in one of the buildings within the walls of the fort for the occupancy of the commission as a council chamber, intelligence was imparted to the different delegations who had informally communicated their arrival that

the council would open on Friday, the 8th day of September. The council was accordingly convened on that day, when there appeared representatives from loyal members of the following named tribes, viz: Creeks, Osages, Quapaws, Senecas, and Senecas and Shawnees of the Neosho agency, Cherokees, Seminoles, Shawnees, and Wyandotts, from Kansas, Chickasaws and Choctaws.

The United States agents present were: Major Snow, for Osages, Quapaws, Senecas, Senecas and Shawnees; George A. Reynolds, Seminoles; Isaac Colman, Choctaws and Chickasaws; Justin Harlan, Cherokees; J. W. Dunn, Creeks; Milo Gookins, Wichitas and other affiliated tribes located within the country leased by Chickasaws and Choctaws; and J. B. Abbott for Shawnees in Kansas.

(It is proper here to remark that the delegation from the disloyal Indians had not arrived; and that the Delawares, and Sacs and Foxes, located in Kansas, who were expected, were not present at any of the councils.)

The council was called to order by me, as president of the commission; after which the blessing of the Great Spirit over our deliberations was invoked by Rev. Lewis Downing, acting chief of the Cherokee nation. When Mr. Downing had concluded, I addressed the council as follows:

BROTHERS: It is proper that thanks should be returned to the Great Spirit, the creator of us all, that our lives have been preserved to meet upon this occasion. This, as you saw, has been done in our style of addressing the Great Spirit. We have thanked Him for His goodness in keeping us in good health, and for putting it into your minds to meet us at this time. We trust that His wisdom may guide us all in the deliberations on every question that may come before us.

We are glad to meet so many of our brothers in council, and pray the Great Spirit to keep you all in health, and to preserve your wives and children during your absence, and return us all safely to our homes when our council shall terminate.

BROTHERS: You will listen further: your Great Father the President, hearing that the Indians in the southwest desired to meet commissioners sent by him, in council, to renew their allegiance to the United States, and to settle difficulties among themselves which have arisen in consequence of a portion of the several tribes uniting with wicked white men who have engaged in war, has sent the commissioners now before you to hear and consider any matter which you may desire to lay before us, and to make a treaty of peace and amity with all his red children who may desire his favor and protection.

Portions of several tribes and nations have attempted to throw off their allegiance to the United States, and have made treaty stipulations with the enemies of the government, and have been in open war with those who remained loyal and true, and at war with the United States. All such have rightfully forfeited all annuities and interests in the lands in the Indian territory; but with the return of peace, after subduing and punishing severely in battle those who caused the rebellion, the President is willing to hear his erring children in extenuation of their great crime. He has authorized us to make new treaties with such nations and tribes as are willing to be at peace among themselves and with the United States.

The President has been deeply pained by the course of those who have violated their plighted faith and treaty obligations by engaging in war with those in rebellion against the United States.

He directs us to say to those who remain true, and who have aided him in punishing the rebels, he is well pleased with you, and your rights and interests will be protected by the United States.

The President directs us to express to you the hope that your dissensions may soon all be healed, and your people soon again united, prosperous, and happy.

We are now ready to hear anything you may wish to say in reply.

The response and explanations of the different nations and tribes will be found in the proceedings of the council, hereto appended.

On the second day, (Saturday, September 9,) after council met, I addressed the Indians, in which I stated that the commissioners had considered the talks of the Indians on the preceding day, and had authorized me to submit the following statement and propositions, as the basis on which the United States were prepared to negotiate with them:

"BROTHERS: We are instructed by the President to negotiate a treaty or treaties with any or all of the nations, tribes, or bands of Indians in the Indian territory, Kansas, or of the plains west of the Indian territory and Kansas.

"The following named nations and tribes have by their own acts, by making treaties with the enemies of the United States at the dates hereafter named, forfeited all right to annuities, lands, and protection by the United States.

"The different nations and tribes having made treaties with the rebel government are as follows, viz: The Creek nation, July 10, 1861; Choctaws and Chickasaws, July 12, 1861; Seminoles, August 1, 1861; Shawnees, Delawares, Wichitas and affiliated tribes residing in leased territory, August 12, 1861; the Comanches of the Prairie, August 12, 1861; the Great Osages, October 21, 1861; the Senecas, Senecas and Shawnees, (Neosho agency,) October 4, 1861; the Quapaws, October 4, 1861; the Cherokees, October 7, 1861.

"By these nations having entered into treaties with the so-called Confederate States, and the rebellion being now ended, they are left without any treaty whatever or treaty obligations for protection by the United States.

"Under the terms of the treaties with the United States, and the law of Congress of July 5, 1862, all these nations and tribes forfeited and lost all their rights to annuities and lands. The President, however, does not desire to take advantage of or enforce the penalties for the unwise actions of these nations.

"The President is anxious to renew the relations which existed at the breaking out of the rebellion.

"We, as representatives of the President, are empowered to enter into new treaties with the proper delegates of the tribes located within the so-called Indian territory, and others above named, living west and north of the Indian territory.

"Such treaties must contain substantially the following stipulations:

"1. Each tribe must enter into a treaty for permanent peace and amity with themselves, each nation and tribe, and with the United States.

"2. Those settled in the Indian territory must bind themselves, when called upon by the government, to aid in compelling the Indians of the plains to maintain peaceful relations with each other, with the Indians in the territory, and with the United States.

"3. The institution of slavery, which has existed among several of the tribes, must be forthwith abolished, and measures taken for the unconditional emancipation of all persons held in bondage, and for their incorporation into the tribes on an equal footing with the original members, or suitably provided for.

"4. A stipulation in the treaties that slavery, or involuntary servitude, shall never exist in the tribe or nation, except in punishment of crime.

"5. A portion of the lands hitherto owned and occupied by you must be set apart for the friendly tribes in Kansas and elsewhere, on such terms as may be agreed upon by the parties and approved by government, or such as may be fixed by the government.

"6. It is the policy of the government, unless other arrangement be made, that all the nations and tribes in the Indian territory be formed into one consolidated government after the plan proposed by the Senate of the United States, in a bill for organizing the Indian territory.

"7. No white person, except officers, agents, and employes of the government, or of any internal improvement authorized by the government, will be permitted to reside in the territory, unless formally incorporated with some tribes, according to the usages of the band.

"Brothers: You have now heard and understand what are the views and wishes of the President; and the commissioners, as they told you yesterday, will expect definite answers from each of you upon the questions submitted.

"As we said yesterday, we say again, that, in any event, those who have always been loyal, although their nation may have gone over to the enemy, will be liberally provided for and dealt with."

I then caused copies of the statement and propositions to be prepared and furnished to each agent, with instructions that they be fully interpreted and explained to them.

Upon the assembling of the council on the third day, (Monday, 11th September,) Commissioner Parker notified the delegations present that intelligence had been received from Governor Pitchlynn, of the Choctaws, and Governor Colbert, of the Chickasaws, that the commissioners from those nations would reach Fort Smith on or before the 15th of that month, and that pending their arrival the commissioners representing the United States were prepared to hear anything the assembled delegations had to say; whereupon members of the respective tribes present consumed the day in stating to what extent, if any, they have power to treat with the United States upon the basis of the propositions submitted by the commissioners, and also in explaining the manner in which they were induced to sign treaties with the rebel government.

The proceedings of that day are very interesting, particularly the paper from the Cherokee nation, in which they plead "not guilty" to the charge of being rebels in consequence of concluding a treaty with the Confederate States.

Upon the assembling of the council on the fourth day, (September 12, Tuesday,) and after receiving a communication from the Seminole delegation, the commissioners, through me, replied to the reasons which were given by the delegations yesterday as the cause of their alliance with the confederates.

Most prominent of the replies is the answer to allegations of the Cherokees; and as it refers to measures which resulted in refusing to recognize John Ross as chief of the Cherokee nation, it is inserted here.

"PRESIDENT: The commissioners will now answer the replies made to them by the several delegations yesterday."

In answer to the Cherokee delegation, the president read the following:

"The commissioners, in response to the statement made yesterday in behalf of the Cherokees, say:

"The Cherokee nation are at fault in interpreting what was said by us on Saturday, as to forfeiture of *land*, &c., as a *fact accomplished*; but the commissioners said: 'all such as have made treaties,' &c., have '*rightfully forfeited*,' &c., 'under the law of Congress, July 5, 1862, which authorized the complete forfeiture; but the President does not desire to enforce the *penalties* for the *unwise* action of these nations.'

"The commissioners only stated what was the legitimate legal consequence of the great crime of treason on the part of those who had so solemnly abjured their allegiance to the United States, and we expressed the hope, as coming from the President, that each nation would place itself in such a position as to enable the President to waive the forfeiture and reinstate the nation.

"We find that the Cherokee nation, by both of its chiefs, its executive council, and three commissioners appointed for the purpose, and 'authorized by a general convention of all the Cherokees proper,' (held at the capital, October 7, 1861,) made a solemn covenant and treaty with the enemies of the United States, and thereby acknowledged and declared that said nation was thereafter the friend of the so-called confederate government, and an enemy of the United States.

"The principal chief of the Cherokee nation, *then* and *now* John Ross, wrote, published, and spoke in favor of this wicked alliance for many months before this treaty was made; he was zealous in his endeavors to induce other nations to join the Cherokees in their scheme of joining the confederacy.

"September 19, 1861, he said: 'The Great Being, who overrules all things,' &c., 'has sustained me in my efforts to unite the heart and sentiment of the Cherokee people as one man.' And at a mass meeting of over 4,000 Cherokees, at Tablequah, 'with one voice we have proclaimed in favor of forming an alliance with the Confederate States, and thereby forever to maintain the brotherhood of the Indian nation in a common destiny.'

"He further said in a letter to that pure patriot, O-poth-le-yo-ho-la, to induce him to unite the Creek nation with the allies of the confederates:

"My advice and desire is for all the red brethren to be united among themselves in support of our common rights and interests by forming an alliance of peace and friendship with the Confederate States.'

"Your chief said to a regiment which your nation raised to fight against the United States: 'The convention which made the treaty was so unanimously attended that *its acts* were the acts of the *whole people*.' 'This,' he says, 'was voted by our people, and I sent a messenger to the commissioner, Mr. Pike, and informed him of our readiness to enter into a treaty.'

"Your nation raised a regiment long before any treaty was made with the States in rebellion, but your chief, John Ross, said to that regiment, December 19, 1862, that he raised the regiment 'to act in concert with the troops in the southern confederacy.'

"Your chief said, in December, 1862, in an address to his people and soldiers, 'The treaty is perfectly satisfactory to all concerned in it,' and on the very day it was signed it was submitted to the national council then in session, and was then read and deliberated article by article, and unanimously adopted and confirmed by both houses, and became a law; and he said, 'the 4,000 people assembled at the capital, with one voice, adopted and approved the treaty.'

"This same chief, speaking for the nation, declared in 1862, 'that the enemies of the confederacy are our *enemies*.' The Cherokees have, by their wealth, intelligence, and numbers, had a very great influence in the whole Indian country.

"Your chief says: 'I sent messages to the Osages and Senecas, requesting them to meet the commissioner, (Albert Pike,) and they forthwith responded. I also sent to O-poth-le-yo-ho-lo, and advised him to submit,' &c.

"As late as 1862-'63 your chief said to your people, 'Our treaty is a good one; the very best we have ever made; it is therefore our duty and wish to respect it, and we must do it.' This same John Ross is now principal chief of the Cherokees.

"The plea 'not guilty,' which you put in in the face of these facts, will not

lie. The facts, as stated by you, in support of your plea 'not guilty,' only go in mitigation.

"Your nation, if your chief can be believed, voluntarily assumed the position of an enemy of the United States.

"That hundreds, perhaps thousands, of your brave young men, who have since nobly fought for the United States, never assented in their hearts to the treaty with the enemies of our country, we believe; and their deeds of valor in defence of the old flag, since they escaped from the rebel camp, are worthy of all praise. The President has been advised of their chivalric valor, and they shall be honored, respected, and protected in every right and interest individually.

"But while John Ross is the principal chief of the Cherokee nation, and the treaty made by him and the nation with those in rebellion against the United States is not repudiated, and a new treaty made with the United States, whereby the United States assure to the Cherokees a title to the lands, or a portion thereof, you, as a nation, are legally, morally, and of right ought to be, as you are, subject to the will and pleasure of the President of the United States, touching your interests under any former treaty or treaties with the United States, affecting annuities or titles to the land in the Indian territory.

"That a majority of your nation has been and is now loyal, we are happy to believe. And we assure you, in behalf of the President, that if you desire to treat with the United States, and wipe out the stigma and disability which bad men have fastened upon you, the forfeitures and penalties provided by the act of Congress of July, 1862, will not be applied to or made operative against those who have not voluntarily aided the enemies of the government, even if found necessary in other cases.

"The commissioners are happy to be able to communicate to the President that the delegates here from the Cherokee nation assure us of their desire to treat with the United States, and that you will lay the matter before your council in October next, recommending such action as will renew the friendly relations heretofore sustained by you toward the United States."

The fifth day, Wednesday, 13th September, was occupied in reading the treaty of peace and amity which had been prepared by the commission for the signatures of such of the delegations present as were desirous to attach their names thereto. The document follows, thus :

Articles of agreement entered into this tenth day of September, 1865, between the commissioners designated by the President of the United States, and the persons here present, representing or connected with the following named nations and tribes of Indians, located within the Indian country, viz: Cherokees, Creeks, Choctaws, Chickasaws, Osages, Seminoles, Senecas, Senecas and Shawnees, and Quapaws.

Whereas the aforesaid nations and tribes, or bands of Indians, or portions thereof, were induced by the machinations of the emissaries of the so-called Confederate States to throw off their allegiance to the government of the United States, and to enter into treaty stipulations with said so-called Confederate States, whereby they have made themselves liable to a forfeiture of all rights of every kind, character, and description which had been promised and guaranteed to them by the United States ; and whereas the government of the United States has maintained its supremacy and authority within its limits ; and whereas it is the desire of the government to act with magnanimity with all parties deserving its clemency, and to re-establish order and legitimate authority among the Indian tribes ; and whereas the undersigned, representatives or parties connected with said nations and tribes of Indians, have become satisfied that it is for the general good of the people to reunite

with, and be restored to, the relations which formerly existed between them and the United States, and as indicative of our personal feelings in the premises, and of our several nations and tribes, so far as we are authorized and empowered to speak for them; and whereas questions have arisen as to the status of the nations, tribes, and bands that have made treaties with the enemies of the United States, which are now being discussed, and our relations settled by treaty with the United States commissioners now at Fort Smith for that purpose:

The undersigned do hereby acknowledge themselves to be under the protection of the United States of America, and covenant and agree that hereafter they will in all things recognize the government of the United States as exercising exclusive jurisdiction over them, and will not enter into any allegiance or conventional arrangement with any State, nation, power, or sovereign whatsoever; that any treaty of alliance for cession of land, or any act heretofore done by them or any of their people, by which they renounce their allegiance to the United States, is hereby revoked, cancelled, and repudiated.

In consideration of the foregoing stipulations made by the members of the respective nations and tribes of Indians present, the United States, through its commissioners, promises that it will re-establish peace and friendship with all the nations and tribes of Indians within the limits of the so-called Indian country; that it will afford ample protection for the security of the persons and property of the respective nations or tribes, and declares its willingness to enter into treaties to arrange and settle all questions relating to and growing out of former treaties with said nations with the so-called Confederate States, at this council now convened for that purpose, or at such time in the future as may be appointed.

In testimony whereof, the said commissioners on the part of the United States, and the said Indians of the several nations and tribes, as respectively hereafter enumerated, have hereunto subscribed their names and affixed their seals on the day and year first above written.

After consultation by agents with their respective people, it was determined that copies be prepared for the different delegates to deliberate upon.

At this meeting the representation from the loyal Seminoles submitted a paper containing a history of the connexion of their tribe with the treaty with the confederates, and the part the loyal portion of the tribe took in fighting for their Great Father at Washington. The proceedings of that day are also hereto appended.

SIXTH DAY.—*Thursday, September 14.*

The council met, when I informed the delegates present that the business before it was the signing the treaty of peace and amity. Thereupon the commissioners signed it on the part of the United States, after which I remarked that it was ready for the signatures of each delegation that desired to sign it.

Mr. Harlan, agent for Cherokees, stated that owing to the illness of some of the delegates, they were unable to consult fully about the treaty, and hence the members present were unwilling to sign until all were present and willing to affix their names.

Agent Dunn, agent for the Creeks, said the delegates were willing to sign under the protest as written; that he had suggested the changing of a word, but they were unwilling to make it without consultation, and desired permission to retire from the council for that object, which was granted. I then stated that the treaty of peace and amity had been prepared in conformity

with instructions from the President of the United States; that it had been signed on the part of the government; that the business of the council that morning was for the different delegations to do so; and that no further proceedings could be had settling matters growing out of the relations with those tribes who had made treaties with the so-called Confederate States; and further, "if there is any tribe or delegation that does not wish to sign it, we wish to know it. We do not desire any tribe to sign it otherwise than willingly and cheerfully."

Agent Dunn, for the loyal Creek delegation, here entered the council-room, and said that they came in prepared to sign under the protest handed in; but objection having been made to it, they were unprepared to take action in the matter at present. I remarked, "We are surprised to know that any nation or tribe which assumes to be loyal should object to the signing of the treaty, inasmuch as there is nothing in it to which any truly loyal person may take exception." At this stage of the proceedings the commissioners were informed by Agent Gookins that a delegation of his Indians, the Wichitas, and other affiliated tribes, had arrived; that the terms of the treaty had been explained to them, and that after a little rest they would meet the commissioners and sign the treaty.

Isaac Warrior, in behalf of the Senecas and Shawnees and Quapaws, located within what is termed the Neosho agency, came forward and indicated the willingness of those Indians to sign the treaty, remarking substantially thus: "My brothers, we are all sent here for the common good. This day is bright and clear, and this whole nation is thankful to-day. We feel happy to-day because we have made this treaty, and shaken hands anew with you, and feel satisfied that our Great Father intends to protect us from this on." The treaty was then signed by the delegates from those bands.

The delegates from the loyal Seminoles then affixed their signatures to the treaty.

Lewis Johnson, on behalf of the loyal Chickasaws, said, in substance, that he had always been loyal to his Great Father; that he always cleaved unto him; that when he found that the old chiefs and old folks had broken the treaty, (meaning the abrogation of existing treaties with the United States by the treaty of alliance with the so-called Confederate States,) he turned his back upon them and went north. Then there was great trouble—firing of guns, &c.—but they did not kill him. He went under the protection of his Great Father, and knew he was safe. He came here to settle business before he returned to his home, and it seemed to him that since he had stood here before his white brothers a great weight was falling from his shoulders, and that he was coming into light; that he had heard much said about the black folks; they suffered as much as his people. He has understood that the President esteemed the colored people, and we Chickasaws are willing to do just as our Great Father may wish—take them in, assist them, and let them help us. So he thought and felt towards them. He remarked that what he said came from the centre of his heart. The delegation then signed the treaty.

The treaty was then signed by the loyal Creek delegation.

The delegation from the Shawnees in the State of Kansas, although their tribe was not a party to any treaty with the enemies of the government of the United States, expressed a desire to sign the treaty, which was granted. The delegation from the Osages signed the treaty, after a few pertinent remarks from two of them.

On the morning of 15th September, Friday, (seventh day,) the council was called to order by Commissioner Sells. After a short time had elapsed, he stated that the commissioners had expected that the Cherokee and Wichita delegations would have been present to sign the treaty, but, as he was

informed, their absence was but temporary. The commissioners would listen to any remarks that members of other delegations desired to make. After a brief interval the delegations of Cherokees and Wichitas entered the council-room, and Commissioner Sells said to the interpreter for the Wichitas that he had a treaty with the Confederate States, made August 12, 1861, to which are signed the names of three of the Wichitas. From the answer it appeared that the Indians who signed were in duress at the time, being prisoners in the hands of the enemies of the United States. The delegation through their agent then expressed their readiness to sign the treaty, and before affixing their marks to their names, submitted a paper in the following words.

The secretary then read the following statement signed by the Wichita delegation:

"The chiefs and headmen of the tribes belonging to the Wichita agency are glad to meet the commissioners of their Great Father, the President, and renew their pledges of fidelity and friendship to him and to all their red brothers by signing this treaty, remarking at the same time that neither they nor any of their respective tribes have been otherwise than strictly true and loyal during the late war. The pretended treaty with the so-called confederacy, as reported by Mr. Albert Pike, is also a pure forgery. The three men whose names are affixed to the treaty with the so-called Confederate States were at the time prisoners in the hands of rebels."

Agent Harlan stated that the Cherokee delegation were ready to sign the treaty, but before doing so wished to make a few remarks.

Colonel Reese, of that delegation, then said: "The Cherokee delegation are willing to sign that treaty, but in so doing do not acknowledge that they have forfeited their rights and privileges to annuities and lands, for the loyal Cherokees are not guilty. Therefore we wish to sign that treaty under the following statement: "We, the loyal Cherokee delegation, acknowledge the execution of the treaty of October 7, 1861, but we solemnly declare that the execution was procured by the coercion of the rebel army."

The council then adjourned for an afternoon session, and upon reassembling I read for the information of the various delegations in attendance a paper signed by the members of the commission declining to recognize John Ross as principal chief of the Cherokees. It is as follows:

Whereas John Ross, an educated Cherokee, formerly chief of the nation, became the emissary of the States in rebellion, and, by means of his superior education and ability as such emissary, induced many of his people to abjure their allegiance to the United States and to join the States in rebellion, inducing those who were warmly attached to the government to aid the enemies thereof; and whereas he now sets up claim to the office of principal chief, and by his subtle influence is at work poisoning the minds of those who are truly loyal; and whereas he is endeavoring by his influence as pretended first chief to dissuade the loyal delegation of Cherokees, now at this council, from a free and open expression of their sentiments of loyalty to the United States; and whereas he has been for two days in the vicinity of our council-room (without coming into the same) at this place, disaffecting the Cherokees and persuading the Creeks not to enter into treaty stipulations which were arranged for the benefit of the loyal Creeks and of the United States; and whereas he is, by virtue of his position as pretended first chief of the Cherokees, exercising an influence in his nation, and at this council, adverse to the wishes and interest of all loyal and true Indians and of the United States; and whereas we believe him still at heart an enemy of the United States, and disposed to breed discord among his people, and that he does not represent the will and wishes of the loyal Cherokees, and is not

the choice of any considerable portion of the Cherokee nation for the office which he claims, but which by their law we believe he does not in fact hold:

Now, therefore, we, the undersigned commissioners, sent by the President of the United States to negotiate treaties with the Indians of the Indian territory and southwest, having knowledge of the facts above recited, refuse as commissioners in any way or manner to recognize said Ross as chief of the Cherokee nation.

Witness our hands, at Fort Smith, Arkansas, this 15th day of September, 1865.

D. N. COOLEY, *President.*

WM. S. HARNEY,

Brigadier General U. S. Army, Commissioner.

ELIJAH SELLS, *Commissioner.*

ELY S. PARKER, *Commissioner.*

THOMAS WISTAR.

I then announced that the commissioners were ready to hear any remarks the members of the delegations might wish to offer. After a brief colloquy between myself, John Ross, and E. C. Boudinot, of the Cherokee nation, the council adjourned.

The council (eighth day, Saturday, September 16) met pursuant to adjournment. The delegations that had recently arrived from the south attempted to obtain entrance to the council room, but it was so densely crowded by delegates who had previously been present, ladies, citizens, officers, and soldiers, that I was reluctantly compelled to order that the room be cleared of all persons not directly connected with the business of the commission, to afford space for the accommodation of the different delegations. Order being restored, the various delegations were seated. I caused the proposed treaty of peace and amity to be interpreted to the respective delegations from Armstrong Academy, otherwise designated as disloyal Indians, and at their urgent solicitation granted them time to consult upon its stipulations and promises. Pending further action by the council, Commissioner Wistar addressed the delegations from the south as follows :

"We have met this morning for the great and good purpose of restoring and perpetuating peace. We invoke the Great Spirit and compassionate Father of us all to spread the curtain of his love over us, to soften our hearts and unite them as the heart of one man in our labor for the accomplishment of this object.

"You have often met in councils of war for the purpose of carrying on the work of destruction, and have endured extreme suffering in such cause. We have *now* met in a council of peace, and before considering any other question, we ask our brothers who have been allied with the south to join in a treaty of perpetual peace and friendship with your Great Father the President, and with your red brethren everywhere. Such a treaty has already been signed by every delegation present before your arrival yesterday, and we believe with unanimity and cheerfulness.

"You profess a desire for reconciliation and peace. Let your hands now show to the future as well as the present that you are sincere in that desire. But this act will avail little unless your hearts go with it. In days to come, when you may be called together and the hand of greeting is held out, let your hearts join with your hands, and by so doing you will be preserved from reviving former animosities. The old sore is still tender. We therefore urgently entreat you not to touch it, lest you cause it to bleed again, and thus prevent its healing.

"We presume that every delegation present has had the opportunity to read and reflect upon the treaty of peace; but that all may surely understand its provisions, it will now be read again, and will then be open for the

signatures of every delegation which has entered the council since the morning session of yesterday."

Soon after the delivery of the address by Commissioner Wistar, the commissioners received a communication from R. M. Jones, president of the southern Choctaw delegation, and Colbert Carter, president of the southern Chickasaw delegation, concurred in by the loyal Chickasaw delegation, to the effect that they have been informed that Colonel Parker, one of the commissioners, was about to leave to visit the Indians of the plains, and requesting that his departure might be delayed until the completion of their business, stating as a reason that the fact of including him, a member of an Indian tribe, as one of the commissioners on the part of the government of the United States, had inspired them with confidence as to its desires and designs with reference to the Indian nations, and that they were anxious to have the benefit of his presence and counsel in any deliberations or interviews with the commission. The commissioners deliberated upon the subject, and authorized me to inform the parties to the communication that Colonel Parker had been selected by the commission to execute an order of the President of the United States to detail one of the members of this commission to meet other commissioners in early October to negotiate with Indians near to or within the limits of Colorado Territory; that the commission was gratified that they had requested the retention of Colonel Parker, and that General Harney, appreciating the sincerity of their reasons, and acquiescing in their propriety, had volunteered to relieve Colonel Parker and go in his stead, being actuated by a desire to do that which would have a tendency to subserve the best interests of his country and promote the welfare of his Indian brethren. At this stage of the proceedings the Creeks, loyal Choctaws, and southern Cherokees expressed their approbation of the request for the detention of Colonel Parker, and wished to be considered as parties to it.

E. C. Boudinot then presented the credentials of the southern Cherokee delegation, accompanied by a statement which the delegates desired to be read and recorded. It was accordingly read as follows:

"The southern Cherokees cheerfully accede to the following of the stipulations insisted upon by the honorable commissioners of the United States, viz: To the 1st, 2d, 4th, 5th, and 7th, without qualification. We have accepted the abolition of slavery as a fact accomplished, and are willing to give such fact legal significance by appropriate acts of council. But we respectfully submit that it would neither be for the benefit of the emancipated negro nor for the Indian to 'incorporate' the former into the several tribes 'on an equal footing with the original members.' That the emancipated negro must be 'suitably provided for' is a natural sequence of his emancipation, but so serious and delicate a question should not be so hastily considered and acted upon, and we therefore ask further time before deciding upon it, pledging ourselves to acquiesce in good faith in any plan which may be considered reasonable and just.

"The consolidation of all the nations and tribes in the Indian territory into one government is open to serious objection. There are so many, and in some instances antagonistic, grades of tastes, customs, and enlightenment, that to throw the whole into one heterogeneous government would be productive of inextricable confusion. The plan proposed by the United States Senate may obviate the difficulties which now appear so patent to us. We would like to see such plan and carefully weigh it.

"We beg to assure the government that our objections to the 3d and 6th propositions are made in no captious spirit, but with a view solely to the good of our common people, and we announce ourselves willing to yield such objections, if after mature deliberations, no better plan can be suggested by us which will be satisfactory to the government.

"We have already expressed our readiness to enter into a treaty of peace

and amity with our people and with the United States, as is now required by the 1st proposition; we have shown our desire to settle our domestic difficulties by sending a special delegation to Fort Gibson in July last, but our efforts to that end met with no favor from that portion of the Cherokee nation who first extinguished by hostile acts the treaties with the United States, and who now affect to have been loyal from the beginning. Our endeavor, thus anticipating the requirement of the United States, was spurned by our brethren.

"We are willing and ready again to proffer the olive branch; but we respectfully represent that after all the blood that has been shed, and the intense bitterness that seems to fill the bosoms of our brethren, we should not be expected to live in an undivided country. The Cherokee nation is large enough for all people, with much to spare, in common with other tribes of the Indian territory, to the Indians from Kansas, for whom it is the desire of the government to provide. The bitter feuds now distracting the Cherokees are of no recent date; they are as old as the treaty of 1835. Years before the war one portion of the Cherokees was arrayed in deadly hostility against the other; a secret society called the 'Pins,' led by John Ross and Rev. Jones, had sworn destruction to the half-bloods and white men of the nation outside their organization; and the murders and assassinations which covered our land with gloom and dread before the war demonstrated beyond question that peace and harmony never could be secured among us without a division of the territory of the nation, and that the threat of destruction was no light jest. In 1846 President Polk addressed a special message to Congress in which he recommended a division of territory between the Cherokees, hostile as they then were one party to the other, as the only course which could insure peace among them. Much of the bloodshed and many of the unpunished murders would have been avoided if the wise counsel of the President had been followed. We ask the attention of the honorable commissioners to this message, assuring them that much stronger reasons exist now for a division of the country than did in 1846. We wish peace for ourselves and children, and we believe, before God, we can have it in no other way than by an equitable division of our country in such a manner as may seem fair and just to the government of the United States.

"In conclusion, we assure the United States government that we will manifest no factious disposition in the negotiations in which we may be expected to take part.

"The great and powerful government you represent will not be offended when we say, that though we may have lost our rights by the course we adopted in all honor and sincerity in the late war, we have not lost our manhood."

After the document had been read, Mr. Boudinot proceeded to make some remarks in explanation of the statement, and was commenting severely upon the course of prominent Cherokees, when I took occasion to say to him that "it must be understood, now and here, that we desire only such matters to come before the council as bear upon the relations of your nations with the government of the United States. If you cannot settle your difficulties yourselves, then the government proposes to settle them for you. Still, we hope you will shake the friendly hand and arrange all your difficulties among yourselves. If you cannot do this, then we will have to do it for you. *The government of the United States purposes to establish peace within her borders.*"

A short controversy then took place between E. C. Boudinot, John Ross, and Wm. P. Ross, which was ended by the president, who stated that the council would listen to one speech or statement on Monday morning from any one of the other portion of the Cherokee nation, in order that the commissioners might ascertain the facts of both parties to the controversy in the Cherokee nation.

NINTH DAY.—*Monday, September 18, 1865.*

This day was occupied with business of such a multifarious character that it is difficult to give a proper outline of it, and do justice to all the parties and interests affected by it; but as a prominent part of the action of the commission was declining to recognize John Ross as principal chief of the Cherokees, I here insert the statement of the loyal Cherokee delegation, as a reply to the procedure of the commissioners in that regard.

Wm. P. Ross. The loyal Cherokee delegation have requested me to present the following statement, in reply to the action of the commissioners in the case of John Ross, which, with your permission, I will read:

The delegation of the Cherokee nation beg leave to file their respectful but solemn protest against the action of the honorable United States commissioners on the 15th instant in regard to John Ross, principal chief of the Cherokee nation; that it was based upon erroneous information; and because it destroys at once the right of the people of the Cherokee nation to choose their own rulers—a right which has never been withheld from them in the whole history of the government. John Ross has never, as far as our knowledge extends, been an emissary of the States in rebellion, nor used his influence to seduce our allegiance to the United States. On the contrary, long after all the tribes and States in our immediate vicinity had abjured their allegiance, when there was not one faithful left among the Indians, and all troops in the service of the United States had been driven off by the enemies of the government, and all protection was withdrawn, he adhered to his allegiance, and only yielded when further resistance promised the entire destruction of his people. For three years past he has been our authorized delegate at Washington city, and the recognized head of the Cherokee nation, and we are advised of no action on his part, during this time, that in any way impugns his loyalty to the United States, or his fidelity to the Cherokee nation. He only arrived at our place of stopping on the other bank of the river on the 14th, after we had left to attend the council. The day after, he crossed the river, and attended the council-room in the afternoon.

We affirm that he used no influence to dissuade us from the free expression of our views, or the exercise of our own actions.

We are authorized also to state that he had no conference or communication directly or indirectly with any Creek Indians, either at this place or since his return to the Cherokee nation. We also beg leave to assure the honorable commission that Mr. John Ross is not the pretended chief of the Cherokee nation, but that he is principal chief in law and fact, having been elected to that position without opposition, on the first Monday in August, for the term of four years, by the qualified voters, in accordance with the provisions of the Cherokee nation. We further request that the honorable commissioners rescind their action in the premises.

LEWIS DOWNING,
Assistant Principal Chief.
SMITH CHRISTIE,
THOMAS PEGG,
NATHANIEL FISH,
H. B. DOWNING,
WHITECATCHER,
MINK DOWNING,
JESSIE BALDRIDGE,
CHEE CHEE,
SAMUEL SMITH,
II. D. REED.



FORT SMITH, *September 18, 1865.*

Mr. Ross proceeded at some length to explain the communication; after which the council adjourned until three p. m.

The remainder of the session of the commission this day was generally occupied in hearing verbal and receiving written statements from southern Indians, respecting their complicity with the confederates, their penitential feelings therefor, promises for the future, and, generally, their expression as to their understanding of the terms of the treaty of peace and amity.

Proceedings are appended hereto.

TENTH DAY.—*Tuesday, September 19.*

Council met, Commissioner Sells presiding, who called for the report of the two portions of the Cherokee Indians, appointed yesterday, with a view of reconciling and harmonizing the political and sectional differences between them. Mr. Richard Fields, from the committee of the southern Cherokees, submitted the following report of their part of the conference, indicating that no definite steps had been adopted for compromise:

Hon. D. N. COOLEY, *President of the Commission:*

SIR: The committee appointed on the part of the delegation from the southern Cherokees to confer with our differing brethren for the purpose, if possible, of devising some plan for the reconciliation of our common people, and an amicable adjustment of our domestic difficulties without interference of the United States government, beg leave to report, that they represented to the committee on the part of our brethren, known as the loyal Cherokees, the earnest desire of those we represent to return to their homes, there to live in peace and amity as *one people*; that we were ready to bury the differences in oblivion. We reminded them, that if permitted to return to their country while their oppressive laws were in force, which had not only already confiscated and sold our cherished homes, but rendered any property our industry and energy might hereafter accumulate liable to confiscation, we could live with them only as homeless, hopeless paupers. We furthermore besought them to recommend to their council a repeal of those oppressive and, we considered, unjust laws. This they declined doing, promising, however, to present our objections to their national council.

Your committee sincerely regret that we were unable to suggest any scheme for the settlement of our domestic dissensions with, or acceptable to, our brothers.

Mr. E. C. Boudinot presented, in behalf of the southern Cherokees, a paper in which the sufferings of their people for the means of subsistence are brought to the attention of the government, and its aid invoked in their behalf. Commissioner Sells stated that the subject did not pertain to the legitimate business of the commission, but that he would call my attention to the subject, I being temporarily absent from the council by indisposition. In this connexion I will state, that soon after my return to Washington I conferred with you in the premises, and, with your approbation, a gentleman has been designated to proceed to the scene of distress, with a view to relieve it, not only with reference to the Cherokees, but to other tribes in that region to which my attention was called when at Fort Smith.

ELEVENTH DAY.—*Wednesday, September 20.*

The commission met, and, as preliminary to other business, the proceedings of the commission expressive of their appreciation of the services of Brig. General Cyrus Bussey, and those of his quartermaster, Captain Churchill, and commissary, Captain Crosswell, were read and ordered to be made of record.

After the transaction of some unimportant business, the following statement of the Choctaws and Chickasaws was submitted:

To the honorable commissioners on the part of the United States, at Fort Smith, Arkansas:

We, the undersigned, commissioners on behalf of the Choctaw and Chickasaw nations, have the honor to state that we have examined with care the treaty of peace and amity presented to us for our signatures on Saturday, the 16th instant, and regarding it, as we do, as preliminary to the making of such treaty or treaties as will definitely fix and determine our future relations with the United States, we are now prepared to sign the same, with the explanations received from your honorable commission, as our understanding of its import, to wit: When we admit that we recognize the government of the United States as exercising exclusive jurisdiction over us, we do not understand the United States as meaning to assume the control or jurisdiction over our internal, local, or national affairs, except as to slavery, which is open to further negotiation, but that we regard the jurisdiction of the United States as paramount as against all foreign governments.

In the spring of 1861 a number of the States, comprising no small portion of the United States, for a reason which to them seemed just and sufficient, seceded, by solemn conventional declaration, from the Union of States; forming for themselves a government or confederation of States styled the "Confederate States of America."

Pending this resolution the seceding States organized an army and took military possession of our country, and established posts and garrisons within our limits and borders, and offered us the protection that the United States then failed to give us.

For it is a part of the history of the country that the United States government at the commencement of hostilities had withdrawn all the troops from our territory and borders, thus failing to protect us, as stipulated in her treaties with us. The Confederate States having established its supremacy by force of arms upon our borders, we felt that we were shut up to an alliance with the south as the only means by which we would secure our independence, maintain our national existence, and secure the lives of our citizens. We made this alliance. The treaties thus made are before you.

Your honorable commission have them before you. Those treaties having been made while war between the two sections of the United States was pending, provisions were necessarily incorporated by which we agreed to assume a hostile attitude; and believing the separation between the two sections of the United States as a fixed fact, and considering the States of the south as more intimately connected with us in interest as well as by geographical position, we regarded it as a matter of interest as well as that of duty to cast our destiny with them.

The Confederate States government having ceased to exist, our relations ceased with it, and we recognize the government of the United States as having maintained its supremacy, and as offering to resume by treaty its former relations with us as nations. We are ready and willing to resume such relations and sign the treaty of peace and amity in all sincerity, claiming no rights but those properly belonging to us. In entering into treaty relations with the United States government, we have but to overlook past history as a guarantee that we will be faithful to such a low bargain we may assume.

Ever since 1786, when the first treaty was made by our forefathers with our white brothers of the United States, although we had causes which we may have deemed sufficient, down to 1861, we have never faltered in our

allegiance to that government. We have fulfilled our every obligation to the letter, and we hope that the peace established between the sections of the United States may be lasting, and that we may never again be forced to cast our lot with one or the other of the two contending sections.

R. M. JONES, *President of Choctaw Commission.*

J. R. KINGSBURY, *Assistant Secretary.*

DAVID BIRNEY, *President pro tem. Chickasaw Commission.*

G. D. JAMES, *Secretary.*

I then stated that it was my intention to read to the council on yesterday an additional statement in regard to the case of John Ross. Owing to my illness, however, on yesterday, the paper was delayed, and Agent Harlan, the agent for the Cherokees, was notified that a copy of what was read here and placed on record would be sent to the grand council of the Cherokee nation. We, as commissioners, have seen no reason why we should recede from the position taken in the case of John Ross, but rather are confirmed in the opinion of the justice of our action by accumulating evidence. He is to be separated from the loyal Cherokees, for whom he, as we think, wrongfully assumes to speak.

After the presentation of papers by different delegations not pertaining directly to the business confided to the commission, the council adjourned with a view to meet the delegation from the Choctaws and Chickasaws at the afternoon session.

The council met pursuant to adjournment; but the commission not being prepared to submit the proposed treaty with the Choctaws and Chickasaws, adjourned until next day.

TWELFTH DAY.—*Thursday, September 21.*

Council met. The committee, on the part of the United States commissioners, submitted the form of a treaty for the consideration of the Choctaw and Chickasaw delegations, and proposed, instead of reading the same to the council, to submit it to the committee appointed on the part of those delegations; and to give them an opportunity to consider it, the council adjourned to meet at 2 o'clock that afternoon.

The council accordingly convened, being called to order by myself. Commissioner Parker stated that the joint committee of the Choctaw and Chickasaw delegations had reported to the committee of the commission certain amendments and modifications of the proposed treaty; that the committee had had the same under consideration, and the commission declined to accede to them, or to change in any respect the treaty as submitted. The delegations would be furnished with a copy of the treaty, and whenever they determined to approve it, by notifying the Commissioner of Indian Affairs of the fact, they would be invited to come to Washington to consummate the treaty.

In anticipation of the speedy termination of the council, Commissioner Parker, on behalf of the commission, returned thanks to the various delegations then present for their attendance, and wished them a happy journey home.

After some congratulatory remarks by prominent members of the various delegations, Mr. E. C. Boudinot, of the delegation of the southern Cherokees, addressed the commission substantially as follows:

"Mr. Chairman: I feel it due my colleagues and the commissioners to make a brief statement in regard to the written reply of the delegation on the part of the southern Cherokees, presented some days since, and which has become a part of the record of this council.

"I was present from the commencement of this council, and for a week or ten days before the delegates from Armstrong Academy arrived, an attentive observer of what was here passing. I had become thoroughly acquainted with the wishes and purposes of the United States commissioners, so far as the public announcement of such wishes could inform me; I knew it would be expected of the southern Indians, when they should arrive, to act promptly, and I therefore drew up the response to the stipulations which it was understood would be required in the forthcoming treaty, without the knowledge of my colleagues and in advance of their arrival, believing that I correctly represented their views in the premises. The result proved that I was correct. Since that response has been submitted, however, I have read the Senate bill, referred to in the 6th stipulation, which provides for the consolidation of all the Indian nations into one territorial government, and do not hesitate to say that, in my opinion, it is one of the grandest and noblest schemes ever devised for the red man, and entitles the author to (as I believe he will soon receive) the lasting gratitude of every Indian.

"I am authorized to say that the southern Seminoles are of my opinion in this matter."

After Mr. Boudinot had concluded his remarks, there being no business before the council, I declared it adjourned *sine die*.

I avail of this occasion to state that Brevet Major General Henry J. Hunt, United States volunteers, arrived at Fort Smith a short time before the adjournment of the council. I introduced him to the different delegations in the council as the successor of General Bussey, late in command of Fort Smith district. The general made a few remarks expressive of his pleasure at seeing before him several prominent Indians with whom he had heretofore been acquainted, and expressed his intention of so conducting the affairs of his military district as that no injustice should be inflicted upon the members of the various tribes within his jurisdiction.

I deem it due the commission to state that in addition to the arrangements it made, as detailed in the preceding pages, a treaty was concluded with the late disloyal portion of the Osage nation, which has been agreed to by the loyal chiefs thereof, ceding to the United States a large tract of country; and the terms of a treaty were agreed upon with the representatives of both portions of the Creek tribe for a cession of all their land lying north of the Arkansas river, and a moiety of that situated south of that stream, which it is expected will be signed here by a delegation appointed for that purpose.

Respectfully submitted by your obedient servant,

D. N. COOLEY,

Com'r of Indian Affairs and Pres't of the Commission.

No. 106.

Official report of the proceedings of the council with the Indians of the west and southwest, held at Fort Smith, Arkansas, in September, 1865.

FORT SMITH, ARKANSAS, September 8, 1865.

The Indian commission, appointed by the President of the United States for the purpose of making treaties of peace and amity with the southwestern Indians, held a preliminary council with the representatives of the fol-

lowing named tribes of Indians, viz : Osages, Seminoles, Choctaws, Chickasaws, Cherokees, Creeks, Senecas, Shawnees, Senecas and Shawnees, Wyandottes, and Quapaws, for the purpose of opening negotiations and exchanging expressions of mutual good will and esteem.

The members of the commission and the delegates assembled at the place designated at ten o'clock and thirty minutes a. m.

There were present on the part of the United States the following :

Commissioners.—Hon. D. N. Cooley, president; Hon. Elijah Sells, Thomas Wistar, Brigadier General W. S. Harney, U. S. A.; Colonel Ely S. Parker.

Secretaries.—Charles E. Mix, George L. Cook, W. R. Irwin, John B. Garrett.

The following named Indians, interpreters, and agents were present, viz:

Creeks.—Ock-tar-sars-ha-jo, head chief; Mik-ko-hut-kee, little white chief; Cow-we-ta-mik-ko, Cah-cho-che, Thlo-cos-ya-ho-lo, Loch-er-ha-jo, Co-me-ha-jo; Tul-wah-mik-ko-che, Tul-wah-mik-ko, David Grayson, David Field, Tuka-basha-ha-jo, Captain Johnneh, Cap-tah-ka-na, Passa, Sa-to-wee, Co-lo-ma-ha-jo, Tul-me-mek-ko, Jacob Conal, David Berryhill, Sanford Berryman, Co-nip Fix-i-co, and others; Wm. F. Brown, clerk; Harry Island, interpreter for Creeks; John Marshal, interpreter for Euchees.

Delegates for the black population living among the Creeks and Euchees.—Ketch Barnett, John McIntosh, Scipio Barnett, Jack Brown, Cow Tom.

Osages.—White Hair, principal chief; Po-ne-no-pah-she, second chief Big Hill band; Wah-dah-ne-gah, counsellor; Me-lo-tah-mo-ne, "Twelve o'clock;" Ko-she-ce-gla; Ge-ne-o-ne-gla, (brave,) "Catch Alive;" Mah-ha-ah-ba-so, (brave,) "Sky-reaching man;" Shar-ba-no-sha, (brave,) "Done brown." Interpreters : Alexander Bayette, Augustus Captain.

Cowskin Senecas.—Isaac Warrior, chief.

Senecas and Shawnees.—Lewis Davis chief; A. McDonald, Goodhunt, Jas. Tallchief, Lewis Denny. Interpreter, Lewis Davis.

Cherokees.—Kah-sah-nie, Smith Christie; Ah-yes-takie, Thomas Pegg; Oo-nee-na-kah-ah-nah-ee, White Catcher; Cha-loo-kie, Fox Flute; Da-wee-oo-sal-chut-tec, David Rowe; Ah-tah-lah-ka-no-skee-skee, Nathan Fish; Koo-nah-yah, W. B. Downing; Ta-la-la; Oo-too-lah-ta-neh, Charles Conrad; Oo-la-what-tee, Samuel Smith; Tah-skee-kee-tee-hee, Jesse Baldridge; Suu-kee, Mink Downing; Chee-chee; Tee-coo-le-to-ske, H. D. Reese. Colonel Lewis Downing, acting and assistant principal chief.

Seminole.—John Shup-co, Pascofa, Fo-hut-she, Fos-bar-go, Chut-cote-har-go. Interpreters: Robert Johnson, Cesar Bruner.

Shawnees.—Charles Blue Jacket, first chief; Graham Rogers, second chief; Moses Silverheels, Solomon Madden, Eli Blackboof. Interpreter, Matthew King.

Wyandotts.—Silas Armstrong, first chief; Matthew Mud-eater, second chief.

Quapaws.—George Wa-te-sha, Ca-ha-she-ka, Wa-she-hon-ca. S. G. Valier, interpreter.

Chickasaws.—Et Tor Lutkee, Louis Jonson, Esh Ma Tubba, A. G. Griffith, Maharda Colbert, headmen; Frazier McCrean, Benjamin Colbert, Ed. Colbert, — Jackson, Jim Doctor, Simpson Killcrease, A. B. Jonson, — Corman, George Jonson, — Wilburn.

Choctaws.—William S. Patton, Robert B. Patton, A. J. Stanton, Jeremiah Ward.

Indian agents.—Major G. C. Snow, for Osages; George A. Reynolds, for Seminoles; Isaac Coleman, for Choctaws and Chickasaws; Justin Harlan, for Cherokees; J. W. Dunn, for Creeks; Milo Gookins, for Wichitas; J. B. Abbott, for Shawnees.

The council was called to order by the Hon. D. N. Cooley, president of the commission, and prayer offered in the Indian (Cherokee) language, by the

Rev. Lewis Downing, acting chief of the Cherokees, after which the following address to the Indians was made by the president of the commission:

"BROTHERS: It is proper that thanks should be returned to the Great Spirit, the Creator of us all, that our lives have been preserved to meet upon this occasion. This, as you saw, has been done in our style of addressing the Great Spirit. We have thanked Him for His goodness in keeping us in good health, and for putting it into your minds to meet us at this time. We trust that His wisdom may guide us all in the deliberations on every question that may come before us.

"We are glad to meet so many of our brothers in council, and pray the Great Spirit to keep you all in health, and to preserve your wives and children during your absence, and return us all safely to our homes when our council shall terminate.

"Brothers: You will listen further. Your Great Father, the President, hearing that the Indians in the southwest desired to meet commissioners sent by him in council to renew their allegiance to the United States, and to settle difficulties among themselves which have arisen in consequence of a portion of the several tribes uniting with wicked white men who have engaged in war, has sent the commissioners now before you to hear and consider any matter which you may desire to lay before us, and to make a treaty of peace and amity with all his red children who may desire his favor and protection.

"Portions of several tribes and nations have attempted to throw off their allegiance to the United States, and have made treaty stipulations with the enemies of the government, and have been in open war with those who remained loyal and true, and at war with the United States. All such have rightfully forfeited all annuities and interests in the lands in the Indian territory. But with the return of peace, after subduing and punishing severely in battle those who caused the rebellion, the President is willing to hear his erring children in extenuation of their great crime. He has authorized us to make new treaties with such nations and tribes as are willing to be at peace among themselves and with the United States.

"The President has been deeply pained by the course of those who have violated their plighted faith and treaty obligations by engaging in war with those in rebellion against the United States. He directs us to say to those who remained true, and who have aided him in punishing the rebels, he is well pleased with you, and your rights and interests will be protected by the United States.

"The President directs us to express to you the hope that your dissensions may soon all be healed, and your people soon again united, prosperous and happy.

"We are now ready to hear anything you may wish to say in reply."

In reply to the address of the president of the commission, Captain Christie, on behalf of the Cherokees, made the following remarks:

"The Cherokee delegation were not aware until this morning of the object of this council. We will consult among ourselves, and probably make known our wishes this afternoon."

Maharda Colbert, interpreter for the Chickasaws, replied to the address on their behalf, as follows:

"The Chickasaws ask to be waited on until this afternoon, when they will answer any questions."

Mik-ko-hut-che, chief of the Creeks, said on their behalf:

"We do not understand what government intended to do in this council, but will communicate this afternoon."

Pascofa, for the Seminoles, said:

"We are pleased to hear the speech of our Father, the President, but we are unaware of the object of the council, and desire time to consult."

Robert B. Patton, in reply to the address, said :

"I will say, on behalf of the loyal Choctaws, that we are pleased to hear from our Great Father, and will ask time for deliberation."

Silas Armstrong said:

"I ask, on behalf of the Wyandotts, for a little more time for consideration before making reply to the address of the commission."

White Hair, chief of the Osages, said:

"I wish to say a few words. I have travelled a long distance to get to this council, not knowing what the result may be. As chief, I represent the nation at this council, and I desire to go home with the news of a favorable result. I have heard what the Great Father has had to say, and have many friends around me, and must consult with them before I can respond to the address."

Isaac Warrior, on behalf of the Cowskin Senecas, said :

"BROTHERS AND FATHERS: This place was appointed for us to meet together; so now we are sitting here to hear what our Great Father wants."

"My fathers: We are well pleased to hear what you have said to us in this council. We are not prepared at present to say anything in reply, but you may hear from us in the future."

Bluejacket, in behalf of the Shawnees of Kansas, said :

"We are very happy to meet the commissioners in council. Our agent has brought us far to meet the southern Indians in council. We have no reply to make to-day, but are happy to meet the commissioners, and hope that the Great Spirit may overshadow us with his blessings, so that dissensions may cease among the Indians."

The president requested the various delegations of Indians to be prepared this afternoon to exhibit the authority by which they come to the council; also to indicate a certain number, not exceeding five, who shall be authorized by each tribe or nation to speak and sign treaties for them.

There being no further preliminary business, the president adjourned the council at twelve o'clock and thirty minutes, to meet at 4.30 this afternoon.

Official :

CHARLES E. MIX, *Secretary.*

FORT SMITH, ARKANSAS, *September 8, 1865.*

Council met about 4.30 p. m.

President Cooley requested the representatives of the several tribes to make such replies to the address of this morning as they might desire.

Smith Christie, on behalf of the Cherokees, said :

"The Cherokee delegation are very happy to meet the honorable commissioners of the United States on this occasion. We are thankful for the kind words expressed this morning for those of the tribes who have been loyal, and for the assurances of continued protection, &c. You requested us this morning to lay before you our credentials and authority to make a treaty, and also to designate a certain number of our party for that purpose. We beg leave respectfully to say that we have not the proper authority to make a treaty, or to enter into any arrangement of any kind with the United States, or with any of the Indian tribes."

"We had notice from our principal chief to attend a grant council at Fort Smith, but had no information as to its object; consequently we are here without instructions. But whatever subject the honorable commissioners will be pleased to bring before us we will gladly hear, and report to our national council and people. We beg leave to say that our constitution prescribes the mode of making treaties."

Mik-ko-hut-che, (Little White Chief,) on behalf of the Creeks, said :

"This evening I have felt very thankful to Almighty God that I have but very little to say to you all. We wanted to know at this time what the government wishes to lay before us, and I now understand what the government wants us to do. Our people at home supposed that we came to meet and come to terms with our rebel brothers, and we thought that was all we had to do at this council. I feel very thankful that government sent out these commissioners, and am very happy to talk with them. We expect to find out fully what the government wants us to do from your commission, and will then be able to answer."

Pascofa, on behalf of the Seminoles, said :

"This forenoon we met here, and heard the desire of the commissioners sent here, but did not feel able to answer. But this evening we can reply to a few questions. Our party, nation, or people has sent us here to learn what government would have us do, or what it has to lay before us. We did not know when we left home that we were coming to make any new treaties. We were sent here by our friends to meet our friends who have taken sides with the south, but now see nothing of them; so have nothing to say. I see that the President has opened the door to them to say something further. What brought us to Fort Smith was to make compromise with our friends of the south, but we see none here; therefore are not ready to do business."

Lewis Denny, on behalf of the Senecas and Shawnees, said :

"We have little to say. We are thankful to meet our Grand Father. We are not ready to answer your questions to-day, but will be to-morrow."

Robert B. Patton, on behalf of the loyal Choctaws, said :

"I wish to state that I am not here as a delegate at all, but have been chosen by the agent to represent the loyal Choctaws. They are very few, most of the tribe having joined the rebels. I am here simply to ask of the commissioners our rights. We desire to get possession of the lands allowed us by the treaty of 1855."

PRESIDENT. "How many loyal are there?"

PATTON. "I suppose about 212. The agent says about 1,800, since surrender."

PRESIDENT. "The 212 were always loyal?"

PATTON. "Yes; never went south."

PRESIDENT. "Where are the 1,800?"

PATTON. "At their old homes; all full-bloods. No half-bloods yet returned."

PRESIDENT. "We will probably have something to say to you to-morrow morning."

Silas Armstrong, on behalf of the Wyandotts, said :

"I am here to represent a small tribe in the north. I must confess, council has taken a different course from what I expected. I saw in a St. Louis paper an account of a rebel council, and the resolutions adopted, and that these resolutions were sent to General Herron. Afterwards, a council was called of Choctaws, Cherokees and other nations, at Armstrong's academy, which was changed to Fort Gibson, and then to Fort Smith. My impression was that a treaty of peace was to be formed with all these nations, and I heard that the chief of the Choctaws issued a proclamation calling on all tribes around us to meet here, with a view to forming an Indian confederation. General Lane told me that the commissioners would probably put in force the act of Congress obliging all Kansas Indians to leave the State. We thought we would have to leave our lands; our reservations are valuable, though some of them are small. I unite with the plan of concentrating all Indians. We expect, if we sell out, to buy lands of our brothers in the territory. They have more than they want. But I see, from speeches of

my brothers, that we are all in the suds. We thought the government would first make a treaty of peace with us all. Indians are different from whites. They are vindictive; hatred lasts long with them. Not so with the whites. The government must settle this difficulty; the Indians cannot. That done, let us be centralized, and a government established in the Indian territory. If possible, keep the white men out, except those who want to marry, and then make Indians of them at once, subject to all the laws of the tribe. I hear a proposition to run a railroad through the Indian territory. An Indian told me you might as well knock an Indian in the head; but I told him it was useless to attempt to stop the railroad, for it would go through their country, and improve their lands, and make them valuable. If they do not like the railroads, let them move away from them as far as they can."

S. G. Valier, on behalf of the Quapaws, said :

"FRIENDS AND BROTHERS: We are delegates to meet our Great Father here. Our delegation does not know what we are all assembled here for. We are here to hear what you have to say, but have no authority to make any treaty."

Ex-tor-lut-kee, (John Lewis,) on behalf of the Chickasaws, said :

"I want to say a few words. My agent wrote up to me, living about four miles beyond Fort Gibson, to meet him here. When I started, I expected to meet our Father here with our southern brothers. After I got here, I heard a report that you came for something else. I expected to hear something between us and the south, and wanted to hear what sort of laws you would lay down for the south; but have heard nothing. We do not wish to say anything contrary, but are waiting for the others to get through; and think we will be willing to do whatever the rest do. We are glad to see you all."

Alfred Griffith, also of the Chickasaws, said:

"This evening we have come together. I am very glad, and thank my God that he has sent the men from Washington. We are the loyal people of the Chickasaw nation, who took sides with the government. We are the ones that kept the laws that the government laid down, because we thought we would all be safe. We were all here at the time set, the 1st of September. We all understand what we have come here for, but still there is some misunderstanding. How is it? I hope we can understand yet."

The PRESIDENT. "BROTHERS: The commissioners have heard with interest the speeches of the several nations. In order that the council here assembled may fully understand the wishes and intentions of the government of the United States respecting their future relations with the Indians, the commissioners will, on the morrow, go into the subject at length. And to the several matters that may then be presented we shall expect definite answers from each nation, so that the same may be acted upon by us, and reported to the President of the United States.

"All subjects presented in the several speeches made this evening, requiring answers and explanations, will be answered and explained to-morrow.

"We expect the delegates of your brothers who have gone south, here next Monday to take a part in this council."

The president also stated to the agents that if any of their Indians require any explanation of anything that has been said, they have full liberty to apply to the commission at their rooms.

Council adjourned to 10 o'clock to-morrow morning.

Official:

CHARLES E. MIX, *Secretary*.

SECOND DAY.

FORT SMITH, ARKANSAS, *September 9, 1865.*

Council met pursuant to adjournment of yesterday, and was called to order by the president of the commission at 10.45, who made the following address:

BROTHERS: After considering your speeches made yesterday, the commissioners have decided to make the following reply and statement of the policy of the government:

Brothers: We are instructed by the President to negotiate a treaty, or treaties, with any or all of the nations, tribes or bands of Indians in the Indian territory, Kansas, or of the plains west of the Indian territory and Kansas.

The following named nations and tribes have by their own acts, by making treaties with the enemies of the United States, at the dates hereafter named, forfeited all right to annuities, lands and protection by the United States:

The different nations and tribes having made treaties with the rebel government are as follows, viz:

The Creek nation, July 10, 1861.

Choctaws and Chickasaws, July 12, 1861.

Seminoles, August 1, 1861.

Shawnees, Delawares, Wichitas and affiliated tribes residing in leased territory, August 12, 1861.

The Comanches of the prairie, August 12, 1861.

The Great Osages, October 2, 1861.

The Senecas, Senecas and Shawnees, (Neosho agency,) October 4, 1861.

The Quapaws, October 4, 1861.

The Cherokees, October 7, 1861.

By these nations having entered into treaties with the so-called Confederate States, and the rebellion being now ended, they are left without any treaty whatever, or treaty obligation for protection by the United States.

Under the terms of the treaties with the United States, and the law of Congress of July 5, 1863, all these nations and tribes forfeited and lost all their rights to annuities and lands. The President, however, does not desire to take advantage of or enforce the penalties for the unwise actions of these nations.

The President is anxious to renew the relations which existed at the breaking out of the rebellion.

We, as representatives of the President, are empowered to enter into new treaties with the proper delegates of the tribes located within the so-called Indian territory, and others above named, living west and north of the Indian territory.

Such treaties must contain, substantially, the following stipulations:

1. Each tribe must enter into a treaty for permanent peace and amity with themselves, each nation and tribe, and with the United States.

2. Those settled in the Indian territory must bind themselves, when called upon by the government, to aid in compelling the Indians of the plains to maintain peaceful relations with each other, with the Indians in the territory, and with the United States.

3. The institution of slavery which has existed among several of the tribes must be forthwith abolished, and measures taken for the unconditional emancipation of all persons held in bondage, and for their incorporation into the tribes on an equal footing with the original members, or suitably provided for.

4. A stipulation in the treaties that slavery, or involuntary servitude, shall never exist in the tribe or nation, except in punishment of crime.

5. A portion of the lands hitherto owned and occupied by you must be set apart for the friendly tribes now in Kansas, and elsewhere, on such terms as may be agreed upon by the parties, and approved by the government, or such as may be fixed by the government.

6. It is the policy of the government, unless other arrangements be made, that all the nations and tribes in the Indian territory be formed into one consolidated government, after the plan proposed by the Senate of the United States, in a bill for organizing the Indian territory.

7. No white person, except officers, agents, and employes of the government, or of any internal improvement authorized by the government, will be permitted to reside in the territory, unless formally incorporated with some tribe, according to the usages of the band.

Brothers: You have now heard and understand what are the views and wishes of the President, and the commissioners, as they told you yesterday, will expect definite answers from each of you upon the questions submitted.

As we said yesterday, we say again, that in any event those who have always been loyal, although their nations may have gone over to the enemy, will be liberally provided for and dealt with.

The president then stated that the agents will be supplied with printed copies of the address, and are requested to go with an interpreter to their respective tribes for the purpose of fully explaining what is said therein.

The President having afforded an opportunity to any of the delegates to express their wishes, Mik-ko-hut-kee, (Little White Chief,) of the Creek nation, said :

"We have learned what the government wants us to do, but are not ready at this time to reply. About Monday we will be ready."

Council adjourned at 1½ o'clock p. m. until Monday morning at 10 o'clock.

Official :

CHARLES E. MIX, *Secretary*.

THIRD DAY.

FORT SMITH, ARKANSAS, *September 11, 1865.*

Council called to order at 11 o'clock by Commissioner Parker, who presided over the day's deliberations. The various delegations present were then notified of the receipt by the commissioner of a letter from Colonel P. P. Pitchlynn, principal chief of the Choctaw nation, and Winchester Colbert, governor of the Chickasaw nation, with the information that the commissioners for those nations would reach Fort Smith on or before the 15th instant. After which, upon notification to the assembled delegations that the commissioners for the United States were ready to hear anything they might have to say, the following remarks were made by Mik-ko-hut-kee, on behalf of the Creek nation : "All I have to say is, that we are not yet fully prepared to say anything in answer to the address of the commissioner."

Pascofa, on behalf of the Seminoles, said : "We understand your address, which was explained to us by our agent, but we are unprepared to treat with you before we have time for further consideration. We earnestly desire to come to some terms and have a treaty. That is all."

The Chickasaw delegation now took their seats, and were informed of the receipt of the letter above mentioned from the heads of the Choctaw and Chickasaw nations, and of their contents. They were also notified that the commission was prepared to hear anything they might have to say ; thereupon A. G. Griffith, of the refugee Chickasaw delegation, presented the following reply to the address of the commissioner :

To the honorable commissioners on the part of the United States :

We, the refugee Chickasaw delegation, submit the following answers to the several propositions made to us on the part of the United States. We have no authority to make or conclude treaties with the United States. We were not informed, before we came here, what this council was called for.

We came to the council expecting to meet the rebel Choctaw and Chickasaw delegations here, and, if possible, to conclude a treaty of peace with them, so that we could return to our home, from which we were driven in December, 1861, by the combined rebel forces of the Indian territory, aided by their allies from Arkansas and Texas.

1. To this proposition we state that we are willing to enter into a treaty of peace with the rebel Choctaws and Chickasaws, and other tribes of Indians, and with the United States.

2. To this proposition we are willing to bind ourselves, when called upon by the government of the United States, to aid in compelling the Indians of the plains to maintain peaceful relations with each other, with the Indians in the territory, and with the United States.

3. For answer to this proposition, we will state that we are willing to abolish slavery and to enter into measures for the unconditional emancipation of persons held in bondage, and to make suitable provisions for their future homes.

4. For answer to this proposition, we can only state that we are but a small part of the Chickasaw nation, and do not feel authorized to act in the premises.

5. For answer to this proposition, we can only state that we are but a small part of the Chickasaw nation, and do not feel authorized to act in the premises.

6. To this proposition, we have no authority to act.

7. To this proposition we will respectfully suggest, that no person except our former slaves, or free persons of color, now residents of the nation, will be permitted to reside in the nation or tribe, unless formally incorporated into the same, except officers, agents, and employés of the government, or of any internal improvement authorized by the government.

All of which is respectfully submitted by the Chickasaw delegates.

Robert B. Pattou, on behalf of the loyal Choctaws, then submitted the following in reply to the commissioners' addrees :

Honorable commissioners of the United States :

We, the delegation on the part of the loyal element of the Choctaw people, came here with the expectation of meeting our southern brethren, and to see what sort of a treaty would or could be made with the government of the United States.

We are not authorized to make, sign, or enter into any treaty stipulations with the government of the United States, on the part of the Choctaw nation, but were selected by the agent for the Choctaw and Chickasaw Indians, by and with the advice and consent of the loyal portion of the Choctaw people, to represent and show to the commissioners on the part of the United States that there are some loyal Choctaws yet, in order that we might not be forgotten or overlooked by the commissioners, but that we might be properly provided for, &c.

In answer, therefore, to your propositions to the several tribes of Indians, we say that the first, second, third, fourth, fifth, and sixth articles meet our approval. We respectively suggest that the seventh article may be modified or changed to read thus : "No white person, except officers, agents, and employés of the government, or of any internal improvement authorized

by the government of the United States; also, no person of African descent except our former slaves, or free persons of color who are now, or have been, residents of the territory, will be permitted to reside in the territory, unless formally incorporated with some tribe, according to the usages of the band."

WM. S. PATTON,
ROBT B. PATTON.

Isaac Warrior, chief of the Senecas, then said on their behalf:

"MY BROTHERS: I wish you all to hear the few words I have to say. I wish to make a few remarks in regard to what the commissioners have said to us in a former council. We understood the commissioners to say some of you have forfeited your lands and annuities, and it seems our Great Father wants to know if we did break these treaties. It is right for every nation, and mine in particular, to tell all. We, the Senecas, and the Senecas and Shawnees, and the Quapaws, are now going to lay this matter before you for the third time. Up *this* way (north) a few years back we got messages from other nations, through our agent, to meet them in council, and when we got there we found ourselves surrounded."

PRESIDENT. Who was the agent then?

Answer. Major Dorn.

"Dorn was the one who told our people that they must go to that council. When we got there white man was talking; white man said if you don't do what we lay before you, we can't say you shall live happy. The chiefs had a private council among themselves after they heard the white man, and they all said it's pretty hard, and we don't know what to do. We can't help ourselves. We have treaty stipulations with the United States to protect us, but now none of them are here to protect us, and the Indians, feeling badly, just looked on, and the white man went to work, got up a paper and said I want you to sign that. The Indian did not want to, but he compelled him. You know yourself that, under such circumstances, he would do anything to save his life."

COMMISSIONER PARKER. What was the name of that white man?

Answer. Pike—Albert Pike.

"And then this is the way we were served there, and did it to save our lives. Our hearts were not in the business, but with the north. So we went home, and the chiefs in council said we would see our Grand Father and see his hands. As soon as we see his hands we will get out and go to him. After that we saw our Grand Father's hands, and started right away to him, and when we got there, caught right hold of them. When we all came out, when our Grand Fathers' were pretty close to us, and when we got to the army, we saw our agent at Baxter's springs, and told him all we had done, and to write to our Grand Father. We told our agent (his name was Elder) we want our Grand Father to forgive us for these acts, and not to think hard; and we all think, we three tribes, we have never done anything contrary to the will of our Grand Father. Not one of our men, of these three tribes I mentioned before, went south; that shows we didn't do anything to our Grand Father, didn't even scratch him; and when we got to Kansas our young men went into the army and helped our Grand Father to fight; and here are our brothers, they have seen our men in the army, where I said they were. That's the reason we always thought we had never done anything wrong, because we didn't intend to, and wish our Grand Father to forgive us. Last fall we had a council with the Sac Indians, and the agents and superintendents were all there, and we told them we were all loyal and would stand up for our Father; that's the reason we thought we had done nothing contrary. What

we did we could not help. Then we always thought when and after this war broke out, when we ran away we did nothing, and always consider the land we have as ours yet, and we want to stand there yet ; and, my fathers, I tell you this plainly, the shortest I could, so you could understand, we want our Grand Father to understand we are on his side, and have not broken any treaties at all. About this question you have laid before us, making new treaties, we have no power to make any, because our people didn't authorize us to do so. And about another thing, the negroes. We haven't anything to say about them, because we haven't any negroes in our nation. And another thing was laid before us, about setting apart some lands for other nations north, in Kansas, for instance. If they want to come and make a treaty with us, we are ready to do so, if we like what they say, and our Grand Father would like it.

"This is all I have to say at present."

Matthew King, interpreter for the Shawnees, read the following paper :

The Shawnee delegation of Kansas, after a careful examination and consideration of the propositions submitted to the council by the commissioners on the part of the United States, would respectfully state that they are satisfied with the positions taken and requirements made by the commissioners; but to make the matter more clear and definite in article seventh, would recommend said article changed to read as follows :

7. No person, except officers, agents, and employés of the government, or the employés of parties authorized by the government, shall be permitted to reside on any reservation or portion of land set apart, as provided by article 5, unless such persons shall be formally adopted into the tribe owning such reservation or land set apart.

CHARLES BLUEJACKET,
Chairman of Shawnee Delegation.

The agent for the Cherokees stated that, as the entire delegation could not get across the river to attend the council this morning, they had deputed two to present the address of the delegation, in reply to the Saturday address of the commissioners. Also, that although he had no hand in the preparation of the document, he approved of the sentiment and spirit of the same.

H. D. Reese, of the Cherokee delegation, read the following paper :

"The Cherokee delegation have already shown that they at this time are not authorized by their nation to make or sign a treaty; and we have also assured the honorable commissioners that whatever subjects are brought before us will be promptly reported to our national council and people. Our attention now is particularly drawn to that part of your 'talk' of Saturday, in which, in enumerating the various tribes who have made treaties with the so-called Confederate States, and who thereby have forfeited lands, annuities, and protection, the Cherokees are included, and this according to a law of Congress of July 5, 1862. With all respect for the 'powers that be,' we earnestly plead 'not guilty;' that we are not, have not been, *bona fide* rebels; that if, through the dire necessities of the times, we were compelled to commit an overt act, in which our only object was to gain time and to save the lives of ourselves and families, the sin does not lie at our door. We do not believe that we will be condemned without a hearing. Our treaties, from that of Hopewell in 1785 to that of Washington in 1846, all guarantee to us protection in these words: 'The United States agree to protect the Cherokee nation from domestic strife and foreign enemies, and against intestine wars between the several tribes.'

"It is needless at this time to describe in detail our situation in the spring

and summer of 1861. Suffice it to say that we were threatened with an invasion from Texas, received hostile communications from the authorities and citizens of our neighbor Arkansas. Treaties had already been formed with the tribes all around us. The military posts of Forts Smith, Gibson, Arbuckle, and Washita were evacuated. They had already been abandoned previously, and at the commencement of the rebellion there was no rallying point within reasonable distance at which 'loyalty to the Union' could find security. That solemn guarantee of protection stipulated in our treaties was to us a dead letter. There was not only danger, but a strong probability of annihilation. Shall we be condemned if, in this hour of darkness, gloom, and intense anxiety, we should have adopted the only means that we could see to escape? The plan was proposed and agreed to that our tribe should seemingly acquiesce in the policy of the Confederate States—that we should make that treaty that lies on your table. But it was clearly, distinctly understood that as soon as the safe opportunity offered, and we could act as free moral agents, act out our true sentiments and feelings, we would fly to our Father's house.

"If a lonely, unarmed traveller is beset on the highway by ruffians with daggers, he is willing to make any concessions, any promises—he is willing to sign any check on his banker for money, in order to escape. But, escaping to a place of safety, he has undoubtedly the right to repudiate all and every promise he may have made in the premises. We were that lone traveller. But, escaping to a place of safety, we at once in emphatic terms denied the binding force of that instrument by passing an act of repudiation, and also an act emancipating all slaves within our jurisdiction.

"We say that it was clearly and distinctly understood by us that as soon as the safe opportunity offered we would return to what we claimed to be our true allegiance, return to the waving of the stars and stripes.

"We made the attempt within three short months after the making of that treaty, at the battle of Verdigris, in which six companies of Colonel Drew's regiment fought Colonel Cooper, and drove him from the ground. The plan was not well concerted—we failed. We tried to find an opening at the battle of Pea Ridge—we failed. And not until June, 1862, when Colonel Weir came in force on the west side of Grand River, did we find the opportunity long desired and sought. Colonel Weir received us kindly. We organized two regiments immediately, of over twenty-two hundred men, and went into the service for three years or during the war. We have engaged the enemy wherever found. We have endured the toils, privations, and hazards of the war, patiently, courageously; have at all times been obedient to orders, until regularly and honorably discharged the 31st of May, 1865. We have participated in the battles of Spring River, Newtonia, Maysville, Cane Hill, Prairie Grove, Cabin Creek, twice, Fort Gibson, Honey Springs, and Green Leaf. One-third of our men are dead. We do not bring up these things in the spirit of boasting, but to show that we are in earnest; that we considered that under the folds of the glorious flag of the Union was our home, and that we, as well as your people, would lay down our lives to defend it. In conclusion, we refer you to the proclamation of Mr. Ross, dated 27th of May, 1861, defining our real position, to which course we held on up to the last moment.

"But if the fiat has gone forth; if this law of Congress of July, 1862, is like unto the laws of the Medes and Persians, it is useless for us at this hour to waste words. We thank you for your kind attention."

Wah-dah-ne-gah, (counsellor,) on behalf of the Osages, said:

HONORABLE COMMISSIONERS, FATHERS, AND ALL MY BROTHERS: I desire to make a few remarks. Our agent, Major Snow, received an order from the President of the United States, ordering him to get an Osage delegation to attend

this council, and we are here as such. Our agent did not know what was its object. We Osages supposed we were called here to make treaties with all the rebels and our Union brothers. This council is of another color, but of the same idea.

In one of the propositions you told us red children that we had made treaties with the south. It is true that some of our headmen were at that council, and that they were deceived and misled. They had their allegiance to their Grand Father in their hearts, but were deceived and enticed away.

COMMISSIONER PARKER—(to interpreter.) Ask him the name of that white man.

Answer. Well, I suppose it was Pike.

Of course they had an understanding with the south, but as soon as they could get away they went to their Great Father, expecting that he would protect them in their rights and property. Again, in your propositions you stated that the President of the United States wished to make an Indian territory. That we understood. Now it is your places, commissioners, to talk with the Indians in the territory, and see if you can agree with them and form a territory. And if so, we that are outside will have to come in.

You told them also that no white men, except officers, should be allowed in the Indian country. Now you have prohibited the white man, and why do you say that the negro may come in? That is all that I have to say.

Commissioner Parker then made the following reply to the addresses of the several delegations:

BROTHERS: The speeches and addresses you have this day made to the United States commissioners have been carefully and attentively listened to by them, and they are pleased to know that you have generally comprehended the several matters submitted to you. They will take your remarks into consideration, and again address you to-morrow.

Mr. Gookins, the agent for the Wichitas, submitted the following:

To the honorable Commissioners on the part of the United States:

GENTLEMEN: The refugee Shawnee Indians who have for several years claimed and received aid from the government through the Wichita agency are now in consultation with the Shawnees proper, to be incorporated with them as one people, which effort, I think, will result favorably. There are no delegates present from any of the other affiliated tribes composing the Wichita agency, but I feel fully confident in saying in their behalf that any and all the propositions contained in the address of the honorable commissioners, so far as they are applicable to any of these tribes, would be readily and cheerfully complied with.

Commissioner Parker said: The commission have made such arrangements as that printed copies of each day's proceedings may be had on the morning following, by application to the secretary, for the use of the agents and delegations.

At 12.30 the council was adjourned to 11 o'clock to-morrow morning.

Official:

CHARLES E. MIX, *Secretary*.

FOURTH DAY.

FORT SMITH, ARKANSAS, *September 12, 1865.*

Council met pursuant to adjournment, and was called to order about 12 m., by the president.

PRESIDENT. We will listen to a communication from the Seminoles.

Assistant Secretary Cook then read the following:

To the Honorable Commissioners:

The delegates from the Seminole nation make the following answers to the propositions presented by you.

They have carefully considered the subjects submitted, and in council with our agent have had every point in your addresses explained; and they make answer that we realize the attitude in which we are placed, by the action of our people towards the United States, and understand the importance to ourselves, the loyal portion, as well as to those lately in rebellion against the government, of making treaties of peace and amity among ourselves, and with the United States.

We fully and freely indorse all the propositions contained in your address, excepting that we respectfully submit that article 3 should be so changed as to admit only colored persons lately held in bondage by the Seminole people, and free persons of color residing in the nation previous to the rebellion, to a residence among us, and adoption in the Seminole tribes, upon some plan to be agreed upon by us and approved by the government. We are willing to provide for the colored people of our own nation, but do not desire our lands to become colonization grounds for the negroes of other States and Territories.

While we represent our great desire to enter into treaties with the United States, which shall secure to us permanent peace among ourselves, with the neighboring tribes and the government, and which shall provide us with schools, churches, farms and internal improvements after the manner of our white brothers, yet we do not feel warranted by the authority in us vested by our people to enter into any treaty stipulations with the United States government at this time.

We desire to come to some satisfactory understanding with our southern brothers, which shall restore them to their homes and the care of their women and children.

We will take the propositions home with us, submit them to our people, and call a council and elect delegates to meet the honorable commissioners in treaty council, at any time and place the President of the United States may be pleased to designate.

JNO. CHUPCO.
PASCOFA.
FOSHUT-SHE.
FOSHARGO.
CHO-COTE-HAR-GO.

The agent for the Seminoles stated that he held in his hand a further statement in the Seminole language, setting forth in detail the motives which actuated that nation in making a treaty with the rebel commissioner, Pike. For want of time it had not been translated, but is submitted as a part of their reply, and may be translated hereafter.

PRESIDENT. The commissioners will now answer the replies made to them by the several delegations yesterday.

In answer to the Cherokee delegation, the president read the following :

The commissioners, in response to the statement made yesterday in behalf of the Cherokees, say :

The Cherokee nation are at fault in interpreting what was said by us on Saturday as to forfeiture of land, &c., as a *fact accomplished*, but the commissioners said : "All such as have made treaties, &c.," have "*rightfully forfeited, &c.*" (under the law of Congress, July 5, 1862, which authorized the complete forfeiture,) but the President does not desire to enforce the *penalties* for the *unwise* action of these nations.

The commissioners only stated what was the legitimate legal consequence of the great crime of treason on the part of those who had so solemnly abjured their allegiance to the United States, and we expressed the hope, as coming from the President, that each nation would place itself in such a po-

sition as to enable the President to waive the forfeiture and reinstate the nation.

We find that the Cherokee nation, by both of its chiefs, its executive council, and three commissioners appointed for the purpose and "authorized by a general convention of all the Cherokees proper," held at the capital, October 7, 1861, made a solemn covenant and treaty with the enemies of the United States, and thereby acknowledged and declared that said nation was thereafter the friend of the so-called confederate government and an enemy of the United States.

The principal chief of the Cherokee nation, then and now, John Ross, wrote, published, and spoke in favor of this wicked alliance, for many months before this treaty was made. He was zealous in his endeavors to induce other nations to join the Cherokees in their scheme of joining the confederacy.

September 19, 1861, he said: "The Great Being who overrules all things," &c., "has sustained me in my efforts to unite the heart and sentiment of the Cherokee people as one man; and at a mass meeting of over four thousand Cherokees, at Talequah, with one voice we have proclaimed in favor of forming an alliance with the Confederate States, and thereby forever to maintain the brotherhood of the Indian nation in a common destiny."

He further said, in a letter to that pure patriot, O poth-le-yo-ho-lo, to induce him to unite the Creek nation with the allies of the confederates: "My advice and desire is for all the red brethren to be united among themselves in support of our common rights and interest, by forming an alliance of peace and friendship with the Confederate States."

Your chief said to a regiment which your nation raised to fight against the United States: "The convention which made the treaty was so unanimously attended that its acts were the acts of the whole people. This," he says, "was voted by our people, and I sent a messenger to the commissioner, Mr. Pike, and informed him of our readiness to enter into a treaty."

Your nation raised a regiment long before any treaty was made with the States in rebellion, but your chief, John Ross, said to that regiment, December 19, 1862, that he raised the regiment to "act in concert with the troops in the southern confederacy."

Your chief said, in December, 1862, in an address to his people and soldiers, "The treaty is perfectly satisfactory to all concerned in it." And on the very day it was signed it was submitted to the national council, then in session, and was then read and deliberated, article by article, and unanimously adopted and confirmed by both houses and became a law." And he said, "The four thousand people assembled at the capital with one voice adopted and approved the treaty."

This same chief, speaking for the nation, declared in 1862 "that the enemies of the confederacy are our enemies." The Cherokees have, by their wealth, intelligence, and numbers, had a very great influence in the whole Indian country.

Your chief says, "I sent messages to the Osages and Senecas, requesting them to meet the commissioner, Albert Pike, and they forthwith responded. I also sent to O-poth-le-yo-ho-lo, and advised him to submit," &c.

As late as 1862-3, your chief said to your people, "Our treaty is a good one—the very best we have ever made. It is therefore our duty and wish to respect it, and we must do it." This same John Ross is now principal chief of the Cherokees.

The plea "Not guilty" which you put in, in the face of these facts, will not lie! The facts as stated by you in support of your plea of not guilty, only go in mitigation. Your nation, if your chief can be believed, voluntarily assumed the position of an enemy of the United States. That hundreds, perhaps thousands, of your brave young men, who have since so nobly fought

for the United States, never assented in their hearts to that treaty with the enemies of our country, we believe; and their deeds of valor in defence of the old flag since they escaped from the rebel camp are worthy of all praise. The President has been advised of their chivalric valor, and they shall be honored, respected, and protected in every right and interest individually.

But while John Ross is the principal chief of the Cherokee nation, and the treaty made by him and the nation with those in rebellion against the United States is not repudiated, and a new treaty made with the United States whereby the United States assure to the Cherokees a title to the lands, or a portion thereof, you, as a nation, are legally, morally, and of right ought to be, as you are, subject to the will and pleasure of the President of the United States touching your interests under any former treaty or treaties with the United States affecting annuities or titles to land in the Indian territory.

That a majority of your nation has been, and is now, loyal, we are happy to believe. And we assure you, in behalf of the President, that if you desire to treat with the United States, and wipe out the stigma and disability which bad men have fastened upon you, the forfeitures and penalties provided by the act of Congress of July, 1862, will not be applied to or made operative against those who have not voluntarily aided the enemies of the government, even if found necessary in other cases.

The commissioners are happy to be able to communicate to the President that the delegates here from the Cherokee nation assure us of their desire to treat with the United States, and that you will lay the matter before your council in October next, recommending such action as will renew the friendly relations heretofore sustained by you toward the United States.

Commissioner Parker read the following, which was translated in turn by the interpreters for the several tribes to whom it is addressed, excepting the Chickasaws, whose delegation was absent at the time :

Interpreters of Chickasaws, Seminoles, Senecas, and Shawnees, and Quapaws, now pay attention, and translate what I have to say to these nations.

It is to be regretted that the Chicksaws and Seminoles, in coming to this council, have not been invested with more general powers, so as to settle all their difficulties at this time by entering into a proper treaty. The delegations here can enter at this time into a treaty of peace and amity with the United States. When the rebel Indians come in they will be required to assent and subscribe to the same treaties as they who are here present agree to.

This treaty of peace is an essential preliminary to the adjustment of any and all questions and interests under any old treaty.

The commissioners are glad to know that the hearts of the Indians of the Neosho agency have always been with their Great Father, the President of the United States, and they are sorry to learn that they were deceived and coerced into making a treaty with the enemies of the Union. Satisfactory proof of this will greatly change the mind of the President in their favor. That they sent so many of their young braves to aid him in fighting his enemies is exceedingly gratifying. But they can more effectually show their good will to the United States, and lay a good claim to its protection, by immediately annulling their treaties with the late Confederate States, and at once entering into a new treaty of peace and friendship with the United States.

The expression given by most of the nations here of their willingness to accept as treaty stipulations the several propositions submitted by the commissioners is pleasing to the President of the United States, and will materially operate in favor of the Indians.

The questions raised by some of the nations respecting the third and seventh propositions submitted by the commissioners will receive proper

consideration whenever a treaty is made with any nation affected by them.

The president of the commission said:

We have in process of preparation a simple treaty of peace for the signatures of all the delegates present, leaving all questions growing out of the recent treaties of the so-called Confederate States to be settled at this or some future council. We ask the delegates to come to our rooms at 4 o'clock this p. m., or to-morrow at 8 a. m., to examine such treaty and be prepared to sign it to-morrow at 12 o'clock in the council-room.

Mik-ko-hut-kee, (Little White Chief,) of the Creek delegation, said:

Yesterday our white brethren and our red brethren all made their complaints and explanations, but the Creeks were not then ready. They are now, and will present them in writing.

Sanford Berryman then read the following paper on their behalf:

To the honorable Commissioners of the United States:

On yesterday you heard the talk of the several tribes of our red brothers. We, the Creek delegation, most respectfully beg leave to tell you some of the troubles and privations this rebellion has brought upon us. We, as a nation, had written laws to guide and govern us, and one of these laws provides that there shall be a principal and a second chief, and in case of absence, sickness, or death, the second chief assumes the duties of the first. It also provides that, in case of misdemeanor of the first chief, he shall be removed from office and the second chief take his place.

We here wish you to know how we were treated by the principal chief, and others, that were in favor of negotiating or making a treaty with the so-called Confederate States in the year 1861. Most of the loyal leading Creeks, among whom was our present chief, Sands, were sent out to the plains to make a treaty of peace and friendship with the Prairie Indians, and while we were out on this mission they made a treaty with the notorious Albert Pike, the commissioner on the part of the Confederate States—the very men who caused all the trouble we have had to endure. On our return home we found out, for the first time, the critical situation in which we were placed by these designing men, and that there was a convention called for the purpose of ratifying this diabolical treaty. Our present chief, and others now members of this delegation, were called upon to sign this treaty, which they refused to do, saying that they already had a treaty with the United States, which was good enough for our safety, and that we should call upon our Great Father for protection, which had been granted us in our former treaties; and as we could not agree, we withdrew from the said convention, and after that the treaty was ratified. In signing the above-named treaty, our principal chief had violated our law, and subjected himself to removal from office. Consequently a convention was called on the 5th of August, 1861. Our present chief, Sands, was authorized, under the provision of our law, to act as principal chief of the Creek nation, and his life, and that of others of our leading men, was threatened by the hostile party; and being informed that there was a large force marching on us for the purpose of pressing us into the rebel service, we commenced moving out west for our safety, trusting in the Great Spirit for protection, and hoping also that He would send us aid through the means of our Great Father at Washington. We would here remark that, on yesterday, our red brothers informed us in their talks that they were compelled to yield, through fear and threats, to the rebel element, and that they were surrounded by enemies. We were not so timid, but stood firm to our old and tried friends and protectors, and were determined to resist even unto blood, and protect the lives of our men and those of our women and children; and, in accordance with a former

treaty which we had made, we took measures to so inform our father at Washington. After putting our women and children in charge of the leading men and warriors, our chief and others repaired to Washington, although the journey had to be commenced through an uninhabited country, and this for a distance of some hundreds of miles. On arriving there, face to face, we informed our Great Father of the situation that our country was in, and were informed by our Great Father that our treaties were and should be respected; and we were further assured that he would send us help as soon as he could; and we think that all of the talk is on the record in Washington. We were threatened with entire annihilation, and were compelled to leave our homes and all that we possessed in the world, and travelled north in the hope of meeting our friends from the north. We were followed by a large force of rebel Indians and Texans, commanded by Colonel D. W. Cooper, and being closely pressed, we were compelled to halt and give them battle; and although their forces were far superior to ours, we drove them back, and then resumed our journey north, and crossed the Arkansas, and camped in the Cherokee nation. The above-mentioned fight was known as the Red Fork fight. While we were in the last-named camp, the battle of Bird Creek took place, which ended in Colonel Cooper being again driven off. We were attacked the third time by Generals McIntosh and Standwite with a large force of cavalry, and were completely routed and scattered, and a great many of our women and children were killed and captured, and we were scattered throughout the country, exposed to all the dangers of the western wilds, and the inclemency of the winter, and travelled to Kansas in blood and snow, not arriving there until the following spring.

It would take volumes to relate minutely the sufferings which we have endured.

We now most respectfully ask you if you can show us one single instance in which more suffering has been endured or greater sacrifices been made, for the cause of the Union; and we most respectfully ask and beg not to be classed with the guilty.

In May, 1862, we put into the service of the United States one regiment, which included two companies of Seminoles, known as the First Regiment Indian Home Guards, and from this time the privations and hardships of a soldier's life commenced. Instead of guarding our homes, we were sent into Missouri, and there commenced fighting the enemies of our country and those of the United States. We took part in most of the battles in Arkansas, and in all of those fought in the Indian territory, participating in twenty-one different engagements.

Furthermore, the remains of our people are as mile-stones to mark our way through the country which we have travelled. We were honorably mustered out of the service of the United States on the 31st day of May, 1865.

MIK-KO-HUT-KEE. A few more words, Messrs. Commissioners. You have heard our arguments laid before you to-day. Some brethren presented theirs yesterday. There are some matters still behind which we wish to bring in, about the seventh article,* which we did not put in our paper for want of time. We, as Creeks, don't understand these fully. There are some things still behind, which we wish to bring forward. We understand you will also allow us an opportunity to speak to-morrow.

The president to Creek interpreter. Please explain that the treaty which we propose to sign to-morrow will in nowise interfere with the other treaty which is being prepared, and which it is hoped the Creeks will sign.

MIK-KO-HUT-KEE. That's all right. We understand.

* As to who shall reside within the Indian territory.

PRESIDENT. Can you explain why Och-tar-sars-harjo's name is signed to the treaty with the rebels? We understood he was away making peace with the Indians of the plains.

MIK-KO-HUT-KEE. I can answer that. These persons whose names are signed could prove by Albert Pike that they were not present with him when that treaty was signed. My name may be there, but I was not present. That was the way with many Indians; their names were put to treaties when they were not there.

PRESIDENT. We find the names of three Creeks to the treaty who were absent at the time fighting the battles of the country.

AGENT ABBOTT. What are those names?

PRESIDENT. Ok-ta-ha-hassee-harjo, Tullissee Fix-i-co, and Mik-ko-hut kee.

AGENT ABBOTT. I would state that in the summer of 1861 several of the Creeks, Mik-ko-hut-kee among them, came to me in Kansas and said they could not find their agent, but wanted to state their case at Washington, and they then went on there.

Major Dunn, agent for the Creeks, stated that the Creeks would like to make a treaty now, but some of the provisions of the treaty of 1863 (not yet ratified) were distasteful to them. They would like to have a committee to meet them.

The president requested the agent to confer with his delegation, and put "black on white" such alterations as they wished made in the treaty of 1863. Commissioners Solls and Wistar and Principal Secretary Mix will then meet you at eight o'clock to-morrow morning.

Council adjourned to 12 o'clock m. to-morrow.

Official :

CHAS. E. MIX, *Secretary*.

FIFTH DAY.

FORT SMITH, ARKANSAS, *September 13, 1865.*

Council met pursuant to adjournment, and was called to order by the president about 1 p. m.

The president read the following draught of a treaty of peace and amity, prepared for the signatures of such of the delegates as are desirous to attach their names thereto :

Articles of agreement entered into this thirteenth day of September, 1865, between the commissioners designated by the President of the United States and the persons here present representing or connected with the following named nations and tribes of Indians located within the Indian country, viz : Cherokees, Creeks, Choctaws, Chickasaws, Osages, Seminoles, Senecas, Senecas and Shawnees, and Quapaws.

Whereas the aforesaid nations and tribes, or bands of Indians, or portions thereof, were induced by the machinations of the emissaries of the so-called Confederate States to throw off their allegiance to the government of the United States, and to enter into treaty stipulations with said so-called Confederate States, whereby they have made themselves liable to a forfeiture of all rights of every kind, character, and description which had been promised and guaranteed to them by the United States; and whereas the government of the United States has maintained its supremacy and authority within its limits; and whereas it is the desire of the government to act with magnanimity with all parties deserving its clemency, and to re-establish order and legitimate authority among the Indian tribes; and whereas the undersigned representatives or parties connected with said nations or tribes of Indians have become satisfied that it is for the general good of the people to reunite with and be restored to the relations which formerly existed be-

tween them and the United States, and as indicative of our personal feelings in the premises, and of our several nations and tribes, so far as we are authorized and empowered to speak for them ; and whereas questions have arisen as to the status of the nations, tribes, and bands that have made treaties with the enemies of the United States, which are now being discussed, and our relations settled by treaty with the United States commissioners now at Fort Smith for that purpose :

The undersigned do hereby acknowledge themselves to be under the protection of the United States of America, and covenant and agree, that hereafter they will in all things recognize the government of the United States as exercising exclusive jurisdiction over them, and will not enter into any allegiance or conventional arrangement with any state, nation, power, or sovereign whatsoever ; that any treaty of alliance for cession of land, or any act heretofore done by them, or any of their people, by which they renounce their allegiance to the United States, is hereby revoked, cancelled, and repudiated.

In consideration of the foregoing stipulations, made by the members of the respective nations and tribes of Indians present, the United States, through its commissioners, promises that it will reestablish peace and friendship with all the nations and tribes of Indians within the limits of the so-called Indian country ; that it will afford ample protection for the security of the persons and property of the respective nations or tribes, and declares its willingness to enter into treaties to arrange and settle all questions relating to and growing out of former treaties with said nations, as affected by any treaty made by said nations with the so-called Confederate States, at this council now convened for that purpose, or at such time in the future as may be appointed.

In testimony whereof, the said commissioners on the part of the United States, and the said Indians of the several nations and tribes, as respectively hereafter enumerated, have hereunto subscribed their names, and affixed their seals, on the day and year first above written.

The president asked the several agents to state whether their delegations would prefer to have copies of the proposed treaty, and consider it until to-morrow, or sign it here to-day.

AGENT HARLAN. The chief of the Cherokees is not present now, and their delegates would prefer having a printed copy, and consulting with him before signing.

AGENT REYNOLDS. I have consulted with the Seminoles, and believe they are prepared to sign the treaty now ; but perhaps it would be better to have it printed first, and sign it to-morrow.

THE PRESIDENT. Without further remarks, then, the commissioners will decide to print the proposed treaty, and furnish copies just so soon as they can be printed this afternoon.

We are very anxious the loyal delegates now here should remain and meet our brothers who admit their disloyalty, and will arrive from Armstrong Academy on or about Friday. In a communication from them, they express a very strong desire to meet you here, and have a reconciliation. At any rate, it is the strong desire of the commissioners that you should remain until after their arrival.

These last remarks of the president were interpreted to the several delegations present.

THE PRESIDENT. With reference to the treaty which we propose to sign, we will have copies made by the clerks and furnished to the agents within an hour and a half. The printer is busy, and we find we can have copies written sooner than printed. We want it signed by *all* the loyal Indians

present ; and if signed at all, it must be at the opening of the session to-morrow.

The above was also interpreted to the several delegations.

THE PRESIDENT. Has either tribe or nation anything to lay before the commissioners, this morning ?

AGENT REYNOLDS. I have in my hand a literal translation of the statement of the circumstances which surrounded a part of the Seminoles, and induced them to sign a treaty with the so-called Confederate States. I do not know that it is necessary to read it here, but wish it to become a part of the proceedings.

THE PRESIDENT. Probably you had better read it.

Agent Reynolds then read the following :

HONORABLE COMMISSIONERS :

BROTHERS : You were sent here by our Great Father. Last Saturday and Sunday we heard from you what you desired us to do. We understood from you that we had made a treaty with the south. That is so : the party of Seminoles that took sides with the south did make a treaty, but not we. The Creeks made a treaty with the Southern Confederacy on the 10th day of July, 1861—also the Choctaws and Chickasaws July 12, 1861, and the Seminoles on August 1, 1861. But here is John Chup-co, our chief ; he never signed that treaty. Our Father, the President, made a treaty with us many years ago. That treaty we loved and respected, and did not wish to violate it, because we wanted to preserve all the promises made to us by our Father for the care of our women and children.

At that time Billy Bowlegs was our chief, when we left that country. And we left our country because we did not approve of the treaty made by our bad brothers, and we left our country to go north into the Cherokee country and Kansas. When they overtook us in the Cherokee country we had a fight with them. Also, again, on the Verdigris river ; and the third place on our retreat. General McIntosh overtook us with a large army and destroyed us. At that battle we lost a great many of our law men, and capable men to do business, and a great many of our young men, and women and children. We left them in cold blood by the wayside. At that battle we lost everything we possessed, everything to take care of our women and children with, and all that we had. And notwithstanding we lost all that we had, and many of our women and children, yet we continued on, because we wanted to keep our promises with our Great Father, and to help him destroy his bad white and red children, that had wickedly struck at him. When we pushed on our journey and arrived in Kansas, and came under his protection, we thought that when we took hold of his hand he would lift us up and make us happy. When we got into Kansas we were very poor. We did not have anything. We were tired out ; but we were so anxious to fight the rebels that we enlisted at once, and turned our faces toward the enemies of our Grand Father.

The President had not called on us to take up arms, but we saw it was necessary, and we went into the fight against the enemies of our people. And we thought, while we were in the service, that all that was promised us before the war would be restored back to us. When we were in the service we were in all the battles where our generals led us, and when the war was ended we were ready to be mustered out. While we were in the service we felt satisfied that our Grand Father knew all our trouble and all our sufferings, and we felt that he would do all that is right by his red children. So we wish to always be remembered by our Father, and we

wish to be subject to all his laws, and do what we understand to be his wishes toward us.

JOHN CHUP-CO.
PAS-CO-FA.
FOS-HAR-GO.
CHO-COTE-HAR-GO.
FOS-HUT-SHE.

THE PRESIDENT. We request the agents to meet us at our rooms, for consultation, immediately on the adjournment of council.

[To the Creeks.] The commissioners have the treaty with you under consideration, and will answer at 5 o'clock this afternoon, if they agree upon it

Council adjourned about 2 o'clock, to 10 o'clock to-morrow morning.

Official :

CHARLES E. MIX, *Secretary*.

SIXTH DAY.

FORT SMITH, ARKANSAS, *September 14, 1865.*

The council was called to order by President Cooley, who stated that the business of the council this morning was the signing of the treaty.

The treaty was then signed by the commissioners on the part of the United States, after which the president stated that the treaty was now ready for the signatures of each delegation that wished to sign it.

Mr. Harlan, agent of the Cherokees, said: Owing to the illness of some members of the delegation, they were unable to consult fully among themselves in regard to the provisions of the treaty, and hence the part of the delegation present are unwilling to sign until the whole may be present to do so, when, if they sign, they intend to do it cheerfully. I have urged them to sign the treaty, thinking they may do so safely, and I also think they will do so willingly.

Mr. Dunn, agent for the Creek nation, said: They are willing to sign the treaty under the protest as written. I have suggested the changing of a word, but they are unwilling to make it without consultation, and it will take a little time to accomplish it.

Mr. DUNN, (after an interval.) Can I withdraw a portion of my delegation a few moments?

The commissioners assented, and the Creek delegation withdrew.

The president then said: We have prepared such a treaty of peace and amity as we were instructed by the President of the United States to prepare. We have signed it on the part of the United States, and the business of the council is the signing of the treaty by the delegations, and until it is signed no further proceedings can be had settling matters growing out of the relations of the several tribes which have had treaties with the so-called Confederate States.

If there is any tribe or delegation that does not wish to sign it, we wish to know it. We do not desire any tribe to sign it otherwise than willingly and cheerfully.

Mr. Dunn, for the loyal Creek delegation, said: My people can come to no determination. They came in prepared to sign the treaty under the protest already handed you, but objection being made to said protest they were unprepared at present to take action in the matter.

THE PRESIDENT. We are surprised to know that any nation or tribe which assumes to be loyal should object to the signing of the treaty, inasmuch as there is nothing in it to which any truly loyal person may take exception.

THE PRESIDENT, (after an interval.) I am informed by the agents that several of the smaller tribes or nations desire to sign this morning. There is an opportunity now.

Mr. Gookins, agent for the Wichitas, &c., said : A small delegation of my Wichita Indians have arrived this morning. They have no objection to signing the treaty, and will do so as soon as they get rested a little.

Mr. Snow, agent for the Senecas, &c., said : The Senecas, Senecas and Shawnees, and Quapaws are willing to sign, but wish to make a few remarks before doing so.

Isaac Warrior, in behalf of the Senecas and Shawnees and Quapaws, then said: My brothers, we are all sent here for the common good. This day is bright and clear, and this whole nation is thankful to-day. We feel happy because we have made this treaty and shaken hands anew with you. We three nations would say that the old treaties made between you and us many years back have been lived up to. And now that we find that our Great Father intends to protect us from this on we are glad, and will henceforth expect his protection forever a long time. This is all I have to say, and we are now ready to sign the treaty.

The treaty was then signed by the delegations for the tribes of Senecas and mixed bands of Senecas and Shawnees and Quapaws.

The president announced the treaty ready to receive the signatures of the loyal Seminoles.

The treaty was then signed by the members of that delegation.

Lewis Johnson, on behalf of the loyal Chickasaws, said: I have always been one of those who have been loyal and cleaved unto our Great Father, and when I found that the old chiefs and folks had broken the treaty I turned my back on them and went north. Then there was great trouble and guns firing behind my back, but they did not kill me, and I went under the protection of my Great Father in Kansas, and then I knew I was safe. I came here to settle this business before I return home, and as I stand before you, it seems as though a weight was falling from my shoulders, and that I am coming into the light. I always intended to abide by the law, for I always wished to be on my Great Father's side. I have heard much said about the black folks. They suffered as much as we did. I have always understood that the President esteemed the colored people, and we are willing to do just as our Father may wish, and take them in and assist them, and let them help us. So I think and feel towards them.

I agree with all the wishes of my Great Father, and I expect he will henceforth protect me. I am telling you this from the centre of my heart, and everything I say is heartfelt.

The delegation of loyal Chickasaws then signed the treaty.

The president announced the treaty ready for the signature of the loyal Creek delegation, who thereupon signed the same.

THE PRESIDENT. The Shawnees from Kansas have never been a party to any treaty with the enemies of the government, but they ask permission to renew their allegiance by signing this treaty, and it is hereby granted them. The Shawnee delegation then signed the treaty.

THE PRESIDENT. Are the Osages ready to sign?

Me-lo-tah-mo-ne, of the delegation, then replied: My Fathers, for the last two days we have heard what you had to say. You have told us what our Great Father had in view for all of the Indians. We have taken the thing into consideration, and find it to our benefit, therefore are willing to sign the treaty. Another thing we wish to bring up. We have before had a treaty of protection which has been violated by the white men in Kansas. We of course desire protection and also to do what is right. The Great Father has desired all our red brothers to shake hands, and this is a good thing.

Wa-dah-ne-ga said: We do this thing in daylight, and want to be protected by our Great Father, and do nothing contrary to his will.

The Osage delegation then signed the treaty; after which, there being no further business to-day, the council was adjourned until 10 o'clock a. m. to-morrow.

Official:

CHARLES E. MIX, *Secretary*.

SEVENTH DAY.

FORT SMITH, ARKANSAS, *September 15, 1865.*

The council was called to order at 11.30 a. m. by Commissioner Sells, who occupied the chair.

COMMISSIONER SELLS. We have been waiting for the Cherokee delegation, who are expected to sign the treaty this morning, and also for the interpreter of the Wichitas, who will return in a short time. If any member of the delegation present has anything to say on any question, we shall be glad to listen to his remarks.

COMMISSIONER SELLS, (after an interval.) We see the interpreter of the Wichitas is present, and would indicate to them that the treaty is now ready for their signatures.

(To the interpreter.) I have here a treaty with the Confederate States, made August 12, 1861, to which are signed the names of three of the Wichitas; are either of those here?

INTERPRETER. The head chief of the Wichitas is here. I know nothing about their signing it.

COMMISSIONER SELLS. What portion of the tribe did those represent who signed the treaty?

INTERPRETER. At the time that treaty was signed those three were prisoners.

COMMISSIONER SELLS. Were there any others prisoners at the time who signed the treaty?

INTERPRETER. No, sir, no others. One who refused to sign they killed.

COMMISSIONER SELLS. Did any portion of the tribe ever sign for the south?

INTERPRETER. No, sir.

COMMISSIONER SELLS. Major Gookins, is the whole band together now?

MAJOR GOOKINS. They are all at this time within my agency, so far as I know; the Wichitas, Caddoes, Wacas, Yocuenies, Keichies, Ionies, &c.

COMMISSIONER SELLS. What is their whole number?

MAJOR GOOKINS. The whole number is about 1,800.

COMMISSIONER SELLS. Are your people ready to sign?

Answer. Yes, sir.

The secretary then read the following statement, signed by the Wichita delegation:

The chiefs and headmen of the tribes belonging to the Wichita agency are glad to meet the commissioners of their Great Father, the President, and renew their pledges of fidelity and friendship to him, and to all their red brothers, by signing this treaty; remarking at the same time that neither they nor any of their respective tribe have been otherwise than strictly true and loyal during the late war. The pretended treaty with the so-called confederacy, as reported by Mr. Albert Pike, is also a pure forgery. The three men whose names are affixed to the treaty with the so-called Confederate States were at the time prisoners in the hands of the rebels.

After the reading of the statement the delegation signed the treaty.

Agent Harlan said: The Cherokee delegation are present and ready to sign the treaty, but before doing so wish to make a few remarks.

Colonel Reese, of that delegation, then said: The Cherokee delegation are willing to sign that treaty, but in so doing do not acknowledge that they

have forfeited their rights and privileges to annuities and lands, for the loyal Cherokees are not guilty; therefore, we wish to sign that treaty under the following statement:

"We, the loyal Cherokee delegation, acknowledge the execution of the treaty of October 7, 1861; but we solemnly declare that the execution of the treaty was procured by the coercion of the rebel army."

PRESIDENT COOLEY. Let me explain. We want no name signed to that treaty under protest, but wish all who sign it to do so willingly and of their own accord.

COLONEL REESE. A portion of our delegation are not here, and have had permission to go home owing to their illness. Others are still sick across the river, but five of us are here and are unanimous in our desire to sign under that statement.

COMMISSIONER SELLS. Say to the Cherokee delegation that the United States commissioners have no objection to that paper.

The Cherokee delegation then signed the treaty.

Commissioner Sells then said:

The commissioners are gratified to be able to state that every delegation present in council has now signed the treaty of peace and amity with the United States, and we are now once more mutually pledged to each other in good will.

The council is now adjourned until 2 o'clock this p. m., when we shall meet the rebel delegation of the Choctaws and Chickasaws.

AFTERNOON SESSION.

Council met at three o'clock, pursuant to adjournment this morning, and was called to order by the president of the commission, who then read a paper signed by the members of the commission, deposing John Ross as principal chief of the Cherokee nation, which paper was read for the information of the various delegations in attendance.

The president then announced that the commissioners were ready to listen to any remarks the members of the delegations might wish to offer.

After a short colloquy between the president and John Ross, and E. C. Boudinot, of the Cherokee nation, the council adjourned until 10 o'clock to-morrow morning.

Official:

CHARLES E. MIX, *Secretary*.

EIGHTH DAY.

FORT SMITH, ARKANSAS, *September 16, 1865.*

Council met pursuant to adjournment of yesterday, and was called to order by the president at 11.30 a. m.

The delegations of the various tribes that had recently arrived were then introduced to the commission with the usual hand-shaking.

THE PRESIDENT. I am sorry this mutual hand-shaking and greeting cannot be continued, owing to more important business.

AGENT GOOKINS. A few more Caddoes and Comanches have just come in and will be prepared to sign the treaty on Monday morning, after consultation.

PRESIDENT. I desire to know whether it is necessary that the treaty which has been signed by the delegations of twelve tribes up to this morning should be translated to those delegations which have just come in.

AGENT COLEMAN. There are three of the wild tribes present—Comanches, Osages and Caddoes.

AGENT HARLAN. I wish to state that it will not be necessary to translate the treaty, as they all have been furnished with printed copies of the same, and it has been read to them, and they fully understand it.

E. C. Boudinot, for the southern Cherokees, said : A few of the Cherokees who came in last night, and have not had time to read the treaty, wish to be allowed until Monday morning to read the same and consult together before signing.

Colonel Jones, of the Choctaws, said : We are willing to sign the treaty, but our chief has not yet arrived; therefore those who are now present wish to delay the signing of the treaty until Monday morning, when the entire delegation will be present.

PRESIDENT. The commission does not wish to precipitate business, nor to have any delegation to take action in the matter without full consideration and consultation, but they have been here since the 4th or 5th of the month, and have waited a long time for the Armstrong Academy delegations, with much patience. In accordance with the wish of the delegations, however, the time is extended until Monday morning.

The president then read the treaty for the information of those delegations that had recently arrived. After which the following address to the Indian delegation from the south was read by Commissioner Wistar :

BROTHERS: We have met this morning for the great and good purpose of restoring and perpetuating peace. We invoke the Great Spirit and compassionate Father of us all to spread the curtain of His love over us, to soften our hearts, and unite them as the heart of one man, in our labor for the accomplishment of this object.

You have often met in councils of war for the purpose of carrying on the work of destruction, and have endured extreme suffering in such cause.

We have *now* met in a council of peace, and before considering any other question, we ask our brothers who have been allied with the south to join in a treaty of perpetual peace and friendship with your Great Father, the President, and with your red brethren everywhere. Such a treaty has already been signed by every delegation present before your arrival yesterday, and we believe with unanimity and cheerfulness.

You profess a desire for reconciliation and peace. Let your hands now show, to the future as well as the present, that you are sincere in their desire. But this act will avail little unless your hearts go with it. In days to come, when you may be called together, and the hand of greeting is held out, let your hearts join with your hands, and by so doing you will be preserved from reviving former animosities. The old sore is still tender. We therefore urgently entreat you not to touch it, lest you cause it to bleed again, and thus prevent its healing.

We presume that every delegation present has had the opportunity to read and reflect upon the treaty of peace; but that all may surely understand its provisions, it will now be read again, and will then be open for the signatures of every delegation which has entered the council since the morning session of yesterday.

The remainder of the loyal Cherokee delegation then signed the treaty.

The president then stated that the treaty was ready for the signatures of the delegation representing that part of the Cherokee nation that joined the rebels, to which reply was made that the delegation was not yet fully prepared to sign.

COLBERT CARTER. I would state, on the part of southern Chickasaw delegation, that we are not fully prepared to sign the treaty, and therefore ask to be allowed to delay doing so until Monday morning.

AGENT REYNOLDS. The southern Seminole delegation, have fully decided to sign the treaty and are now ready to do so.

The southern Seminole delegation then signed the treaty.

PRESIDENT. The Seminole delegation have signed the treaty; are there any others?

D. N. McIntosh, of the southern Creek delegation, asked further time, or until Monday morning, for the consideration of the treaty by them.

PRESIDENT. I have received the following document, which I will read for the information of the council :

FORT SMITH, ARKANSAS, *September 16, 1865.*

SIR: Having understood that Colonel Ely S. Parker, one of the commissioners on the part of the United States, for the purpose of negotiating peace, &c., is about to leave for the purpose of visiting the Indians of the plains, the commissioners on the part of the Choctaws and Chickasaws beg leave to request that he delay his departure until the completion of our business with the honorable commissioners on the part of the United States.

The fact that the United States government have seen fit to include a member of an Indian tribe with its commissioners, has inspired us with confidence as to its designs and desires with reference to the Indian nations, and we are anxious to have the benefit of his presence and counsel in any deliberations or interviews with your honorable body.

R. M. JONES, *President Choctaw Delegation.*

J. T. KINGSBURY, *Secretary.*

COLBERT CARTER, *President of Chickasaw Delegation.*

G. D. JAMES, *Secretary.*

HON. D. N. COOLEY,

President of the Commissioners on the part of the United States.

We concur in the above request on the part of the loyal Chickasaw delegation.

A. G. GRIFFITH.
JOHN LEWIS, *his x mark.*
MAHARDA COLBERT,
Interpreter.

PRESIDENT. I have to say to the gentlemen present, that we were directed by the President of the United States to come to this place and make treaties with the Indians of the southwest, and with the Arrapahoes, Cheyennes and Kiowas, on the plains, on the 6th of October. We were directed to send some one from this commission to communicate with the other commissioners in Colorado Territory, but we decided on sending a commissioner and a secretary. Colonel Parker was the commissioner selected. We are much gratified at the invitation to the commission to retain Colonel Parker here. We have cheerfully granted your request, and General Harney has kindly volunteered to go in Colonel Parker's stead. He has done this out of a desire to serve the best interests of the country, and he will proceed this afternoon on his journey over the plains to Colorado, to treat with the Indians there. General Harney therefore will not be able to sit with us after to-day.

AGENT DUNN. The Creeks move for permission to sign that paper. The loyal Choctaws also wish to add their name to the paper. The loyal Chickasaws expressed their approbation of the sentiments of the document and wish to be permitted to sign it.

E. C. BOUDINOT. The southern delegation of Cherokees wish also to add their names to the paper. They had an understanding with the Choctaws and Chickasaws in regard to it, but did not know that it would be read so soon.

E. C. Boudinot presented the credentials of the southern Cherokee delegation.

THE PRESIDENT. I desire to say we will permit all the delegates sent here from any and every tribe or nation to sign this treaty, notwithstanding we

have arranged for only four or five delegates from each nation to do the talking. All the delegates may be present at the council, and you may consult with them here; but five only will be permitted to represent the nation or tribes before the commission. These must be authorized to speak for the balance. Some have taken this as an invitation from us for them to leave the council. We did not intend it to be so arranged. We have much business before us, and I trust you will make your arrangements as soon as possible. On Monday morning next I hope all will be ready to sign the treaty, and that none will ask for more time for consideration. We will close this document on Monday morning next.

E. C. BOUNDINOT. The delegation on the part of the Cherokees from Armstrong Academy desire to submit the following statement, which they wish read and placed upon the record.

Assistant Secretary Garrett then read the communication, which was as follows, viz :

The southern Cherokees cheerfully accede to the following of the stipulations insisted upon by the honorable commissioners of the United States, viz., to the 1st, 2d, 4th, 5th, and 7th, without qualification.

We have accepted the abolition of slavery as a fact accomplished, and are willing to give such fact legal significance by appropriate acts of council. But we respectfully submit that it would neither be for the benefit of the emancipated negro nor for the Indian to "incorporate" the former into the several tribes "on an equal footing with the original members." That the emancipated negro must be "suitably provided for" is a natural sequence of his emancipation; but so serious and delicate a question should not be so hastily considered and acted upon, and we therefore ask further time before deciding upon it, pledging ourselves to acquiesce in good faith in any plan which may be considered reasonable and just.

The consolidation of all the nations and tribes in the Indian territory into one government is open to serious objection; there are so many, and in some instances antagonistic, grades of tastes, customs, and enlightenment, that to throw the whole into one heterogeneous government would be productive of inexplicable confusion. The plan proposed by the United States Senate may obviate the difficulties which now appear so patent to us. We would like to see such plan and carefully weigh it.

We beg to assure the government that our objections to the 3d and 6th propositions are made in no captious spirit, but with a view solely to the good of our common people; and we announce ourselves willing to yield such objections if, after mature deliberations, no better plan can be suggested by us which will be satisfactory to the government.

We have already expressed our readiness to enter into a treaty of peace and amity with our people and with the United States, as is now required by the first proposition; we have shown our desire to settle our domestic difficulties by sending a special delegation to Fort Gibson in July last. But our efforts to that end met with no favor from that portion of the Cherokee nation who first extinguished, by hostile acts, the treaties with the United States, and who now affect to have been loyal from the beginning; our endeavor, thus anticipating the requirement of the United States, was spurned by our brethren. We are willing and ready again to proffer the olive branch; but we respectfully represent that after all the blood which has been shed, and the intense bitterness that seems to fill the bosoms of our brethren, we should not be expected to live in an undivided country. The Cherokee nation is large enough for all our people, with much to spare, in common with other tribes of the Indian territory, to the Indians from Kansas, for whom it is the desire of the government to provide. The bitter feuds now distracting the Cherokees are of no recent date—they are as old as the treaty of

1835. Years before the war one portion of the Cherokees was arrayed in deadly hostility against the other; a secret organized society, called the "Pins," led by John Ross and Rev. Jones, had sworn destruction to the half-bloods and white men of the nation outside their organization; and the murders and assassinations which covered our land with gloom and dread before the war, demonstrated beyond question that peace and harmony never could be secured among us without a division of the territory of the nation, and that the threat of destruction was no light jest. In 1846 President Polk addressed a special message to Congress, in which he recommended a division of territory between the Cherokees, hostile as they then were one party to the other, as the only course which could insure peace among them. Much of the bloodshed and many of the unpunished murders would have been avoided if the wise counsel of the President had been followed. We ask the attention of the honorable commissioners to this message, assuring them that much stronger reasons exist now for a division of the country than did in 1846. We wish peace for ourselves and children, and we believe, before God, we can have it in no other way than by an equitable division of our country in such manner as may seem fair and just to the government of the United States.

In conclusion, we assure the United States government that we will manifest no factious disposition in the negotiations in which we may be expected to take part. The great and powerful government you represent will not be offended when we say, that though we may have lost our rights by the course we adopted in all honor and sincerity in the late war, we have not lost our manhood.

Very respectfully, your obedient servants,

E. C. BOUDINOT.
R. FIELD.
WM. P. ADAIR.
JAMES M. BELL.
W. L. HOLT.
JO. L. MARTIN.
SMALLWOOD, his x mark.
CHARLES E. WATIE, ex-
cepting to the 2d stipulation.
J. P. DAVIS, his x mark.
D. M. FOREMAN,

Delegates for the Southern Cherokees.

E. C. Boudinot then proceeded to make some remarks in explanation of the above statement, in which reference was made to the preservation of peace among and in the tribes, when the president took occasion to say, for the information of the entire council, that it must be understood now and here that we desire only such matters to come before the council as bear upon the relations of your nations with the government of the United States. If you cannot settle your difficulties yourselves, then the government proposes to settle them for you. Still we hope you will shake the friendly hand and arrange all your difficulties among yourselves. If you cannot do this, then we will have to do it for you. The government of the United States purposes to establish peace within her borders.

A short controversy then took place between E. C. Boudinot, John Ross, and William P. Ross, which was ended by the president, who stated that the council would listen to one speech or statement on Monday morning from any one of the other portion of the Cherokee nation, in order that the commission might ascertain the facts of both parties to the controversy in the Cherokee nation.

THE PRESIDENT. The council now stands adjourned until Monday morning at 9 o'clock.

Official:

CHAS. E. MIX, *Secretary*.

NINTH DAY.

FORT SMITH, ARKANSAS, *September 18, 1865.*

Council met pursuant to adjournment of the 16th, and was called to order by the president at 10.40 a. m.

THE PRESIDENT. There were one or two loyal Cherokees, who were absent on Saturday, that desired to sign the treaty this morning. Are they present?

(After an interval)—

COLONEL FOLSOM. I would state, for the information of the commission, that the Choctaws and Chickasaws will be ready to sign the treaty in two or three hours. They are now discussing it in council, and will be ready about three o'clock.

D. N. MCINTOSH. Mr. President, I think, if I understand the mind of the southern Creek delegation, that they are ready to sign the treaty of peace. The southern Creeks then signed the treaty.

THE PRESIDENT. Are the southern Cherokees ready to sign?

Answer. They are ready.

The southern Cherokees then signed the treaty.

AGENT DUNN. It is gratifying to me to be able to state that the Creeks have buried the tomahawk to-day beyond resurrection. They will be able to arrange all their difficulties on reaching home.

THE PRESIDENT. We are all happy to hear this report from Agent Dunn. All have signed the treaty, and we have no doubt all differences will be arranged. We hope before separating to have a still better understanding.

Assistant Secretary Garrett then read the following communication from the loyal Creek delegation:

FORT SMITH, *September 15, 1865.*

To the honorable commissioners now in session:

We, the delegates of the Creek nation to this council, have had many talks with you while in attendance on sessions with us, and know the policy of the government towards us, the loyal Creeks. We are willing to provide for the ceding of a portion of lands at a fair price. We are willing to provide for the abolishing of slavery and settlement of the blacks who were among us at the breaking out of the rebellion, as slaves or otherwise, as citizens entitled to all the rights and privileges that we are. We are willing to expend a portion of our annuities for agricultural implements and for education, &c. As to a territorial form of government, we have to say that we know but little, but prefer our tribal condition. We cannot enter into treaties at the present time for sale of lands, from the fact that we were not authorized to do so before leaving our homes. We have no doubt but, when properly authorized by our people, we can and will conclude a treaty on the foregoing subjects satisfactory to the United States government and to ourselves.

OK-TOR-HAW-SOS-HAR-CHO.

MEK-KO HUTKORCHE, *for the Delegations.*

THE PRESIDENT. I will state to those who have just signed, that the loyal Creeks have signified to the commissioners their entire assent to most of the propositions made by us on behalf of the government, including territorial government, which will leave you subject to all tribal rules, but will secure an united government over the whole territory, a delegate in Congress, and put you in the way of becoming a State in the nation.

Assistant Secretary Garrett then read the following paper from the united Seminole delegation :

The Seminole delegation say that they have met their southern brothers, and with them have signed a treaty of peace and amity with the United States ; that they desire and will settle all matters of difference with each other ; that they are willing to permit, if they can agree upon terms with the President, their friendly brother Indians from Kansas and elsewhere to a residence upon their lands and a home with them, subscribe to all the propositions contained in your addresses, and will submit to their people and elect delegates from the nation fully empowered to make such treaties as shall be satisfactory to the government and themselves. They desire treaties entered into with the United States which shall provide them with schools, churches, residences, and farming implements, and which will tend to elevate them in the scale of mankind. They desire to live in peace among themselves, with the surrounding tribes, and the United States government. They desire to meet their Great Father, the President, in treaty council as soon as he may be pleased to designate the time and place, and will elect delegates with full authority to act at such time as the honorable commissioners will notify them. They express the hope that soon permanent peace may prevail among all Indian nations and throughout the United States. Having done all that they were authorized to do by their people, they respectfully request that they may be permitted to return home to the care of their women and children, until such time as the government may choose to call them into treaty council, when they will be prepared to meet the United States with full powers from their people to enter into any treaty stipulations agreed upon between themselves and the President.

JOHN CHIPCO, his x mark.

PAS COFA, his x mark.

HOS HARTHA, his x mark.

HOS HARGO, his x mark.

CHOCETE HARGO, his x mark.

JOHN JUPEN, his x mark.

GEORGE CLONELL, his x mark.

JAMES HUETER, his x mark.

HAS-HAS-CHECHO COLE, his x mark.

HOS-SUCH-LE-HA-HOLA, his x mark.

Signed in my presence—

ROBERT JOHNSON, *Interpreter.*

GEORGE A. REYNOLDS,

United States Indian Agent.

One of the southern Osage delegation said : On day before yesterday we heard the talk of our Great Father on the treaty, and have considered what he said, and we are now ready to sign it.

COLONEL VAN. If I may be permitted to speak a word in behalf of the southern Osages,

THE PRESIDENT. Certainly.

COLONEL VAN. They wished us to say that they would adopt the same course of action that we took, and learning that we had signed they wished to sign also. The southern Osage delegation then signed the treaty.

THE PRESIDENT. The delegation of loyal Cherokees are delayed by being unable to cross the river. It is the intention of the commission to have the two Cherokee delegations appoint committees of five each, to meet together in order, if possible, to come to some understanding by which their national difficulties may be settled ; or, if that cannot be accomplished, to report the fact to the commission.

JOHN BROWN. I understand that the two Seminole delegations have come to a settlement, and have submitted a paper which I think will not be acceptable to many of the Seminole nation. I ask that it may be read.

THE PRESIDENT. To which paper do you refer?

Answer. The one handed in on Saturday.

THE PRESIDENT. It has already been read.

THE PRESIDENT. Is there any person present representing the Comanches?

Answer. The second chief of the Comanches is here.

THE PRESIDENT. Has he power to sign for his tribe?

Answer. Not for the entire delegation.

THE PRESIDENT. The committee of conference on the part of the southern Cherokees has been named by them, and I am ready to announce their names as soon as the loyal Cherokees may arrive.

THE PRESIDENT, (after an interval.) Has any delegation anything to submit while we are waiting for the loyal Cherokees? If so, they now have an opportunity to submit it.

WM. P. ADAIR. Mr President, I wish to inquire whether the treaty made with Lieutenant Colonel Mathers at Armstrong Academy, which I understand was made by the authority of General Herron, is valid and binding upon the United States government at this time?

THE PRESIDENT. I may say, in answer to the question of Mr. Adair, that this commission has no official knowledge of the arrangement or treaty entered into by Lieutenant Colonel Mathers. The Interior Department only has the power to make treaties with the Indians, hence a treaty made by any other party would be unauthorized, and therefore not binding upon the United States.

COLONEL VAN stated that that portion of the Cherokee nation which remained in the country had confiscated all the property of those who had gone south, and much of said property had been sold and sacrificed. He also stated that if such a policy was adhered to by the other portion of the nation a division of the country would be necessary. He further wished to know whether it was the intention of the United States to uphold the northern Cherokees in such a course, or to use its influence for a modification of the act passed by the Cherokee congress.

THE PRESIDENT stated in reply, that, without intimating an opinion as to this particular act, we believe the United States the only competent authority to decide the ownership of the Cherokee country as affected by the treaty with the so-called Confederate States. That the question of confiscation was one which the commission could not undertake to determine, not having before them the Cherokee constitution or the act referred to, but that they might take it into consideration, and upon the proper representations induce a modification of the act by the loyal Cherokees, who he thought were willing to do much for the sake of reconciliation with their brothers.

AGENT HARLAN. A part of the loyal Cherokee delegation, five in number, have just arrived. The remainder of the delegation I fear will be unable to attend the council to-day.

THE PRESIDENT. I would say to the loyal Cherokees who have just arrived, that the southern Cherokee delegation, at the suggestion of the commissioners, have appointed a committee of five to confer with a like number of the loyal Cherokee delegation in regard to the settlement of their national difficulties, and I hope the loyal delegation will appoint a committee of the same number for the purpose of consultation.

AGENT HARLAN. The loyal Cherokees are willing to appoint such a committee, and ask a few moments for consultation among themselves.

THE PRESIDENT. While the loyal Cherokees are in consultation, we will afford an opportunity to the Comanches to sign the treaty.

The Comanches then signed the treaty.

Agent Harlan announced to the commission that the committee of conference on the part of the loyal Cherokees was appointed.

The president then announced the following names as the committee on the part of the southern Cherokees, viz :

William P. Adair, Richard Fields, J. P. Davis, J. L. Martin, and David Forman ; and the following as the committee on the part of the loyal Cherokees, viz : Smith Christie, Lewis Downing, Chee-Chee, Charles Conrad, and Jesse Baldrige ; and requested the committee to hold a conference at an early hour, and report the result of said conference to the council.

AGENT DUNN. The Creek delegation, having complied with all the requirements of the government and become reconciled among themselves, ask permission to retire from the council and go to their homes.

THE PRESIDENT. I see no objection to the request of the Creek delegation.

Commissioner Sells, at the request of the president, said : In taking leave of the Creek delegations, I wish to say, on behalf of the commission, we are happy at the favorable results which have attended their efforts for reconciliation between themselves and the United States. We hope they may henceforth live in peace and amity, not only with the United States, but with all their red brothers, and once more become prosperous and happy.

THE PRESIDENT. If any delegation has anything to offer, the commission will now be pleased to listen to it.

WILLIAM P. ROSS. The loyal Cherokee delegation have requested me to present the following statement, in reply to the action of the commissioners in the case of John Ross, which, with your permission, I will read :

STATEMENT.

The delegation of the Cherokee nation beg leave to file their respectful but solemn protest against the action of the honorable United States commissioners, on the 15th instant, in regard to John Ross, principal chief of the Cherokee nation ; that it was based upon erroneous information, and because it destroys at once the right of the people of the Cherokee nation to choose their own rulers, a right which has never been withheld from them in the whole history of the government. John Ross has never, as far as our knowledge extends, been an emissary of the States in rebellion, nor used his influence to seduce our allegiance to the United States. On the contrary, long after all the tribes and States in our immediate vicinity had abjured their allegiance, when there was not one faithful left among the Indians, and all troops in the service of the United States had been driven off by the enemies of the government, and all protection was withdrawn, he adhered to his allegiance, and only yielded when further resistance promised the entire destruction of his people. For three years past he has been our authorized delegate at Washington city, and the recognized head of the Cherokee nation, and we are advised of no action on his part during this time that in any way impugns his loyalty to the United States or his fidelity to the Cherokee nation. He only arrived at our place of stopping, on the other bank of the river, on the 14th, after we had left to attend the council. The day after he crossed the river, he attended the council-room in the afternoon. We affirm that he used no influence to dissuade us from the free expression of our views in the exercise of our own actions.

We are authorized also to state that he had no conference, or communicated, directly or indirectly, with any Creek Indians, either at this place or since his return to the Cherokee nation. We also beg leave to assure the honorable commission that Mr. John Ross is not the pretended chief of the Cherokee nation, but that he is principal chief in law and fact, having been

elected to that position without opposition, on the first Monday in August, for the term of four years, by the qualified voters, in accordance with the provisions of the Cherokee nation. We further request that the honorable commissioners rescind their action in the premises.

LEWIS DOWNING,
Assistant Principal Chief.
 SMITH CHRISTIE.
 THOMAS PEGG.
 NATHANIEL FISH.
 H. B. DOWNING.
 WHITECATCHER.
 MINK DOWNING.
 JESSE BALDRIDGE.
 CHEE CHEE.
 SAMUEL SMITH.
 H. D. REED.

FORT SMITH, *September 18, 1865.*

Mr. Ross proceeded at some length to explain the communication, after which the council adjourned till 3 p. m.

AFTERNOON SESSION.

Council met about 3.30 p. m., and was called to order by President Cooley.

The president stated that the first business would be the signing of the treaty of peace and amity by the delegates from the Choctaw and Chickasaw nations.

R. M. Jones, on behalf of those delegates, presented an address, which he said they wished to have read before their signatures are affixed to the treaty.

Assistant Secretary Garrett then read the following:

To the honorable commissioners on the part of the United States, at Fort Smith, Arkansas:

We, the undersigned commissioners, on behalf of the Choctaw and Chickasaw nations, have the honor to state that we have examined with care the treaty of peace and amity presented to us for our signatures on Saturday, the 16th instant; and regarding it, as we do, but preliminary to the making of such treaty or treaties as will definitely fix and determine our future relations with the United States government, we now agree to sign the same, with the explanations received from your honorable commission as our understanding of its import, to wit: When we admit that we recognize the government of the United States as exercising exclusive jurisdiction over us, we do not consent to, nor do we understand the United States as meaning to assume, the control or jurisdiction over our internal national affairs, or claiming jurisdiction or control over our local affairs or national organization, except as to the question of slavery, which is open to further negotiation; but that we regard the jurisdiction of the United States government as paramount as against all foreign governments. We would further state, that we were not induced by the machinations of the emissaries of the Confederate States to sever our treaty stipulations with the government of the United States, but that we made treaties with the Confederate States, from what appeared to us as our interest seemed to dictate, and as the means of preserving our independence and national identity, considering ourselves a separate political organization, and our country composing an integral part of the territory of the United States. This was our position,

as we understood it, in the spring of 1861, at which time a number of the States composing no small portion of the United States, for reasons which to them seemed just and sufficient, seceded by solemn conventional declaration from the union of States which composed the United States, forming for themselves a government or confederation of States styled "the Confederate States of America."

We believed that those States had the right so to do. Pending this resolution, the seceding States organized an army, and took military possession of our country, and established posts and garrisons within our limits and borders, and offered us the protection that the United States then failed to give us; for it is a part of the history of the country that the United States government, upon the commencement of hostilities, had withdrawn all the troops from our borders and territory, thus failing to protect us, as stipulated in her treaties with us. The Confederate States having established its supremacy, by force of arms, upon our borders and over our territory, we felt impelled to sever our treaty stipulations with the United States, and free to treat with the Confederate States. We did so. The treaties thus made are matters of history. Your honorable commissioners have them before you. Those treaties having been made when war between the two sections of the United States was pending, provisions were necessarily incorporated by which we agreed to assume a hostile attitude, and to establish what we believed to be the great cardinal principle of republican liberty—the right of self-government. Viewing the separation between the two sections as a fixed fact, and considering the States of the south as more intimately connected with us in interest, as well as by geographical position, we regarded it as a matter of interest, as well as that of duty, to cast our destiny with them. The Confederate States government having ceased to exist, our relations ceased with it, and we recognize the government of the United States as having maintained its supremacy, and as offering to resume, by treaty, its former relations with us. As nations, we are ready and willing to resume such relations, and sign this treaty of peace and amity, in all sincerity, claiming no rights but those properly belonging to us. In entering into new treaty relations with the United States government, we have but to offer our past history as a guarantee that we will be faithful to such obligations as we may assume. Ever since 1786, when the first treaty was made by our forefathers with our white brothers of the United States, down to 1861, we have never faltered in our allegiance to that government; although we have had sufficient cause, yet we fulfilled our every obligation to the letter, and we hope that the established relations between the sections of the United States may be lasting, and that we may never be again forced to cast our fortunes with one of two contending sections.

R. M. JONES,

President of the Choctaw Commissioners.

DAVID BIRNEY,

President pro tem. Chickasaw Commissioners.

J. P. KINGSBURY,

Ass't Sec'y Choctaw Commissioners.

G. D. JAMES,

Sec'y of Chickasaw Commissioners.

FORT SMITH, ARKANSAS, September 18, 1865.

The treaty was then signed by the delegates from the Choctaw nation, and their principal chief, and by those from the Chickasaw nation and their governor. It was also signed by Stand Watie, of the southern Cherokees.

THE PRESIDENT. The Cherokees have now a joint committee of their loyal and disloyal branches attempting to arrange their differences. We trust

these will be adjusted in a few hours, and that we will then be ready to consult about business. I appoint Commissioner Wistar to confer with the Cherokee committee, and aid them in their business, and Commissioners Sells and Parker to confer with committees of the Choctaws and Chickasaws in relation to the subject-matter of additional treaties.

AGENT HARLAN. The committee of Cherokees is now in session, and will probably soon be ready to report. The delegation are anxious to get away as soon as possible; all but five are now sick, and two of them are not well.

THE PRESIDENT. Before they go, I desire to address the loyal Cherokees, and assure them that we do not include them in our implications against John Ross; and also state some reasons why our judgment concerning him remains unchanged. If they are not present to-morrow morning I will address them some remarks through you, (Agent Harlan.)

R. M. JONES. We request leave to withdraw our delegations, Choctaw and Chickasaw, to appoint committees.

THE PRESIDENT. Leave is granted.

These delegations then withdrew.

Council adjourned about 4.30 p. m., to 9 o'clock to-morrow morning.

Official :

CHAS. E. MIX, *Secretary.*

TENTH DAY.

FORT SMITH, ARKANSAS, *September 19, 1865.*

Council met at 10.20 a. m. pursuant to adjournment, and was called to order by Commissioner Sells, who presided over its deliberations.

COMMISSIONER SELLS. The council is now open for business, and ready for the report of the committee of conference of the two portions of the Cherokee nation.

E. C. BOUDINOT. Mr. President, I am requested by the southern Cherokee delegation to present the following memorial to the honorable commissioners :

FORT SMITH, ARKANSAS, *September 19, 1865.*

The undersigned respectfully represent that there are some six thousand Cherokees in the Choctaw and Chickasaw nations in the vicinity of Red river, most of whom are in a destitute condition, having been since the termination of the late war dependent on the bounty of said nations and the adjoining country of Texas for subsistence; they are without money, and, with a few exceptions, without property of any description.

We earnestly call the attention of your honorable body to this matter, trusting that some definite plan may be devised for the relief of these destitute people.

Very respectfully, your obedient servant,

ELIAS C. BOUDINOT.

WM. G. ADAIR.

SMALLWOOD ^{his} _{mark}

JO. L. MARTIN.

R. FIELDS.

D. M. FOSEMAN.

J. P. DAVIS, and others.

HON. D. N. COOLEY, *President Commission.*

COMMISSIONER SELLS. The president of the commission is sick to-day. We will lay the matter before him, and if the commission has no authority to act in the matter, it will be brought to the attention of the department. Mr.

Fields, of the southern Cherokees, then submitted the following report of their part of the committee of conference, which was read by Assistant Secretary Garrett as follows :

FORT SMITH, ARKANSAS, *September 19, 1865.*

SIR: The committee appointed on the part of the delegation from the southern Cherokees to confer with our suffering brethren for the purpose, if possible, of devising some plan for the reconciliation of our common people, and the amicable adjustment of our unhappy domestic difficulties, without the intervention of the United States government, beg leave to report that they represented to the committee on the part of our brothers known as the loyal Cherokees, the earnest desire of those we represent to return to their homes, there to live henceforth in peace and amity as one people ; that we were ready and willing to bury all differences between us in oblivion ; we reminded them that if permitted to return to our country while their oppressive laws were in force, which not only had already confiscated and sold our cherished homes, but rendered any property our industry and energy might hereafter accumulate liable to confiscation, we could live with them only as harmless and hopeless paupers. We therefore besought them to recommend to their council a repeal of those oppressive and, as we consider, unjust laws ; this they declined doing, promising, however, to present our objections to such laws to their national council. Your committee sincerely regret that we were unable to suggest any scheme for the settlement of our domestic divisions that was acceptable to our brethren.

Very respectfully, your obedient servants,

R. FIELDS,
JO. S. MARTIN,
D. M. FOSEMAN,
J. P. DAVIS,

Committee on the part of the Southern Cherokees.

HON. D. N. COOLEY,
President of the Commission.

E. C. BOUDINOT. I would state, in behalf of the Choctaw and Chickasaw delegations, that they are in council, selecting five of their number to speak and sign for them, who will be present in a short time.

COMMISSIONER SELLS. Mr. Fields, has your delegation anything further to offer ?

Mr. FIELDS. I believe not, sir.

COMMISSIONER SELLS. If there is nothing further to be brought before the commission, the council will adjourn until 10 o'clock to morrow morning.

Official :

CHARLES E. MIX, *Secretary.*

ELEVENTH DAY, MORNING SESSION.

FORT SMITH, ARKANSAS, *September 20, 1865.*

Council met at 10.45 a. m. pursuant to adjournment of yesterday, and was called to order by the president of the commission.

THE PRESIDENT. We have on the table some resolutions adopted at a meeting of the commission, which the secretary will read for the general information. Assistant Secretary Cook then read the resolutions, which were as follows, viz :

Resolved, That the commissioners to treat with the Indians now in session at Fort Smith, Arkansas, tender to Brigadier General Cyrus Bussey, the efficient and gentlemanly officer commanding this post, their sincere

thanks for his prompt and courteous attention in providing every facility in his power to aid said commission in its work, as well as for his persevering energy in causing the arrest of the murderer of an Indian in the vicinity.

Resolved, as an act of justice to General Bussey, That the accompanying resolutions be made a part of the record of the proceedings of this commission.

Resolved, That like thanks are also tendered to Captain Churchill, assistant quartermaster, and Captain Croswell, commissary of subsistence, for equal kindness and attention in their particular departments.

General Bussey, who was present, rose and said, "I thank the commission for this kind expression towards me and the other officers mentioned in the resolutions. I have done nothing more than my duty, but am glad to know that we have been able to make the sojourn of the gentlemen of the commission agreeable and comfortable. Again I thank you for the kind sentiments expressed in the resolutions."

THE PRESIDENT. Has any one in the council anything to offer?

G. D. Jones, secretary of Chickasaw delegation, said: Mr. President. I have been instructed by the chairman of Choctaw and Chickasaw delegations to request permission to withdraw the statement submitted by those delegations at a former meeting, and to substitute therefor the following paper, which I desire may be read:

THE PRESIDENT. The commission cannot allow any papers to be withdrawn from their files, which have become matters of record and a part of the history of the council. Any additional papers in explanation may, however, be filed, and will be spread upon the record. The secretary will read the statement.

COMMISSIONER SELLS. Before the reading of the papers, I ask permission to withdraw, in order to attend to some business with the Osages.

PRESIDENT. Certainly.

Commissioner Sells withdrew, and Assistant Secretary Garrett then read the statement of the Choctaws and Chickasaws, which was as follows:

To the honorable the Commissioners for the United States at Fort Smith, Arkansas:

We, the undersigned commissioners, on behalf of the Choctaw and Chickasaw nations, have the honor to state that we have examined with care the treaty of peace and amity presented to us for our signatures on Saturday, the 16th instant, and regarding it, as we do, as preliminary to the making of such treaty or treaties as will definitely fix and determine our future relations with the United States, we are now prepared to sign the same, with the explanations received from your honorable commission, as our understanding of its import, to wit:

When we admit that we recognize the government of the United States as exercising exclusive jurisdiction over us, we do not understand the United States as meaning to assume the control or jurisdiction over our internal local or national affairs, except as to slavery, which is open to further negotiation, but that we regard the jurisdiction of the United States as paramount as against all foreign governments. In the spring of 1861, a number of the States, for reasons which to them seemed just and sufficient, seceded, by solemn conventional declaration, from the union of States which composed the United States, forming for themselves a government or confederation of States, styled "the Confederate States of America." Pending this resolution, the seceding States organized an army, and took military possession of our country, and established posts and garrisons within our limits and borders, and offered us the protection that the United States then failed to give us; for it is a part of the history of the country that the United States, upon the commencement of hostilities, had withdrawn

all her troops from our territory and borders, thus failing to protect us as stipulated in her treaties with us.

The Confederate States having established its supremacy by force of arms upon our border, we felt that we were shut up to an alliance with the south, as the only means by which we could secure our independence, maintain our national existence, and secure the lives of our citizens. We made this alliance. The treaties thus made are before you. Your honorable commissioners have them before you. Those treaties having been made while war between the two sections of the United States was pending, provisions were necessarily incorporated by which we agreed to assume a hostile attitude; and believing the separation between the two sections of the United States as a fixed fact, and considering the States of the south as more intimately connected with us in interest, as well as by geographical position, we regarded it as a matter of interest, as well as that of duty, to cast our destiny with them. The Confederate States government having ceased to exist, our relations ceased with it, and we recognize the government of the United States as having maintained its supremacy, and as offering to resume by treaty its former relations with us as nations; we are ready and willing to resume such relations, and sign this treaty of peace and amity in all sincerity, claiming no rights but those properly belonging to us. In entering into new treaty relations with the United States government, we have but to offer our past history as a guarantee that we will be faithful to such obligations as we may assume. Ever since 1786, when the first treaty was made by our forefathers with our white brothers of the United States, down to 1861, though we had causes which we may have deemed sufficient, we have never faltered in our allegiance to that government, we have fulfilled our every obligation to the letter; and we hope that the peace established between the sections of the United States may be lasting, and that we may never again be forced to cast our lot with one or the other of two contending sections.

R. M. JONES,

President Choctaw Commissioners.

J. P. KINGSBURY, *Assistant Secretary.*

DAVID BIRNEY,

President pro tem. Chickasaw Commissioners.

G. D. JAMES,

Secretary Chickasaw Commissioners.

THE PRESIDENT. That paper will be spread upon the record.

THE PRESIDENT. It was the intention to read to the council on yesterday an additional statement in regard to the case of John Ross. Owing to my illness, however, on yesterday, the paper was delayed, and Agent Harlan, the agent for the Cherokees, was notified that a copy of what was read here and placed on record would be sent to the grand council of the Cherokee nation. We, as commissioners, have seen no reason why we should recede from the position taken in the case of John Ross, but rather are confirmed in the opinion of the justice of our action by accumulating evidence. He is to be separated from the Cherokees, for whom he, as we think, wrongfully assumes to speak.

E. C. Boudiuet, then read, by request, the following paper on behalf of the Seminole delegation:

FORT SMITH, ARKANSAS, *September 16, 1865.*

The Honorable COMMISSIONERS:

GENTLEMEN: We, the undersigned, members of the Seminole delegation, lately from Armstrong Academy, most respectfully state that when signing a certain document on the 16th, in conjunction with loyal Seminoles, we were

ignorant of all its requirements, and by so doing are considered as approving all the propositions that had been proffered by the commissioners. They rescind their action in regard to approval of the 3d and 6th articles, and would like these questions stand open for some future consideration.

JOHN JUMPER, his x mark, *Chief*.

GEORGE CLOUD, his x mark.

FOOS-HATCHE-CO-CHUEHUE, his x mark.

PAHSUCH-YOHOLA, his x mark.

JAMES FACTOR, his x mark.

Witness: J. W. WASHBOURNE.

E. C. BOUDINOT. I have also another paper which I was requested to present for the Seminole delegation, referring to a similar matter to that brought to your notice by the Cherokees, the destitution of many of their tribe. The paper was then read, and was as follows, viz:

FORT SMITH, ARKANSAS, *September 19, 1865.*

SIR: In the conference which we had hoped to have held with you this morning, and which was prevented by your indisposition, and the imperative necessity of our getting to our people as soon as possible, we desired to lay before you the complete destitution of our people. We shall do so as fully as we are able, trusting your answer will be as just and humane as if we should receive it by ear.

In your communication to-day to John Jumper, answering our interrogations put, you say that "our people must be provided for," but that "Congress must assemble before any definite arrangements can be made by them." Please bear with and follow us through the subjoined statement, and let its portraiture possess its due influence in the making up of your judgment.

We have been exiles from our own lands and homes for more than two long years. Amid the ravages of war we were able to save very little of our property, very few cattle, horses, hogs, and agricultural implements, whatever. We were, before the outbreak of this white man's war into which he threw us, a poor people, just struggling to emerge from the darkness and poverty of barbarism; but what few farms we had opened, what few flocks of sheep, herds of cattle and droves of horses we then possessed, are now destroyed. We are now poorer than ever—a feeble, suppliant tribe; yet not forgetful of the manhood of our forefathers, who displayed it in the everglades of Florida—nor of our own, which was willing to breast the storm of war in the dismal dark years of 1861–5. The "Confederate States," poor and crippled as they were, fed our people—such as were unable to feed themselves—for two years. Since the cessation of hostilities, the contractor for the Confederate States has generally supplied us. Had he not done so, our women and children would have suffered. We had no fields in the lowlands of the Washita river, where we are now and have been since February, 1864, to till; and if we had had such fields, we possessed no implements or animals with which to cultivate ground. Of course we could grow no food, and unless the contractor of the "Confederate States" had stepped up to our aid, many of us would have perished.

Now, since signing the treaty of amity and peace with the United States, we are utterly thrown upon our own resources, shown to you, sir, to be drained, or upon the humanity of your own government, by whose invitation and demand we have come forward and smoked the pipe of peace. What are we to do? We ask you to put to yourself the question, and call yourself a poor Seminole, casting about for succor amid a wreck of ruin and poverty. The "Confederate States" no longer exist; to their humanity and sympathy we can no longer appeal. The contractor, who, of himself, generously

furnished us since peace, can now no longer do so. We have, ourselves, nothing in corn, cattle, hogs, or supplies of any kind, and we must suffer unless you, yourself, take steps for our relief. This relief must be speedy, too, or it will be of no avail. This relief we do not ask except till we are able to gain subsistence from the earth, which we cannot now do until another spring, summer, and autumn, and which we *will* do when those seasons come again, for we prefer to make our bread.

We are now about to move our families from their present camps in the woods of Wachita to our own land. There we shall not find the homes we left, yet we desire to go immediately thither to make such preparations as we are able for the coming winter, and for the sowing and harvest thereafter. We are anxious and determined to re-establish and maintain peace with our Seminole brethren who have differed with us in this war, and resolved to keep good and steadfast faith with the United States government.

But in our own country we shall find no food; we have none to take thither with us. We, therefore, of necessity, appeal to your great government in our behalf in this matter.

We respectfully request that you would, if you should vouchsafe a reply to this communication, send it soon, before you leave this city if you can, to Mr. E. C. Boudinot, Cherokee delegate, who will have means to send it to us. In the mean time we shall look with solicitude for your answer, as our hungry wives and children will upon us; and beg leave to wish you our hearty good will.

Respectfully, your obedient servant,

his
JOHN \bowtie JUMPER,
mark.
Principal Chief of Seminoles.

Witness: H. E. McKee.

I respectfully ask that this communication be made a portion of the record of this council.

his
JOHN \bowtie JUMPER,
mark.
Principal Chief of Seminoles.

Witness: H. E. McKee.

PRESIDENT COOLEY. The paper will be placed on file, though it is not properly a part of the proceedings of the council, being addressed to the Commissioner of Indian Affairs.

The committee on the part of the United States commissioners have met the Choctaw and Chickasaw delegations and report progress. They are ready to put the details mutually agreed upon in form of treaty, and I see no reason why such treaty may not be concluded at this council. The council will therefore stand adjourned until 5 o'clock this p. m.

AFTERNOON SESSION.

Council met pursuant to the forenoon's adjournment, and was called to order by Commissioner Sells, who said: I am instructed by the committee to say to you that they have been unable to fully prepare the treaty under consideration, and therefore cannot submit it until to-morrow. That being the only object of the meeting this afternoon, the council will stand adjourned until 10 o'clock a. m. to-morrow.

Official :

CHARLES E. MIX, *Secretary.*

TWELFTH DAY—MORNING SESSION.

FORT SMITH, ARKANSAS, *September 21, 1865.*

Council met pursuant to adjournment, and was called to order by President Cooley.

THE PRESIDENT. The committee on the part of the United States commissioners have prepared a treaty for the consideration of the Choctaw and Chickasaw delegations, and propose, instead of reading the same to the council, to submit the same to the committee on the part of the Choctaws and Chickasaws, and adjourn the council immediately, so as to allow them all the time necessary for deliberation upon the same before the next meeting of the council, which will be at 2 o'clock this afternoon. If there is no business further, the council now stands adjourned until 2 o'clock.

At 2 o'clock p. m. the council met pursuant to adjournment. Called to order by President Cooley. Commissioner Parker stated that the joint committee of the Choctaw and Chickasaw delegations had reported to the committee of the commission certain amendments and modifications of the proposed treaty; that the commission had had the same under consideration, and the commissioners declined to accede to them, or to change in any respect the treaty as submitted. The delegations would be furnished with a copy of the treaty, and whenever they determined to approve it, by notifying the Commissioner of Indian Affairs of the fact, they would be invited to come to Washington to consummate the treaty. In anticipation of the speedy termination of the council, Commissioner Parker, on behalf of the commission, returned thanks to the various delegations then present for their attendance, and wished them a happy journey home.

After some congratulatory remarks by Delegate R. M. Jones, R. Field, E. C. Boudinot, and Commissioner Cooley, President Cooley adjourned the council and the commission, to meet again at the call of the secretary of the Interior.

Official:

CHARLES E. MIX, *Secretary.*

No. 107.PARKHILL, CHEROKEE NATION,
September 19, 1861.

FRIENDS AND BROTHERS: I have received a few lines from you, written on the back of a hasty note which I had written to the chiefs and headmen of your nation, and from which the following is an extract:

"Brother, I am gratified to inform you that the Great Being, who overrules all things for good, has sustained me in my efforts to unite the hearts and sentiments of the Cherokee people as one man, and at a mass meeting of about four thousand males at Tahlequah, with one voice we have proclaimed in favor of forming an alliance with the Confederate States, and shall thereby preserve and maintain the brotherhood of the Indian nations in a common destiny."

Brothers, if it is your wish to know whether I had written the above note or not, I will tell you that I did; and, in order that you may be fully informed of the whole proceedings of the Cherokee people at the mass meeting stated, and of the reasons which influenced the people to adopt them, I send you herewith several printed copies of my address to the people in convention, and of the resolutions adopted by them on that occasion. I wish you to have them carefully read and correctly interpreted, in order that you may understand them.

Brothers, my advice and desire, under the present extraordinary crisis, is for all the red brethren to be united among themselves in the support of our common rights and interest, by forming an alliance of peace and friendship with the Confederate States of America.

Your friend and brother,

JOHN ROSS,
Principal Chief Cherokee Nation.

To OPOTHLEYHOLO and others of the chiefs and headmen of the Creek nation.

No. 108.

TAHLEQUAH, CHEROKEE NATION, *October 8, 1861.*

FRIENDS AND BROTHERS: Some short time since I received a few lines from you, written on the back of a note of mine to the chiefs and headmen of the Creek nation, informing them that the Cherokee people had resolved in favor of forming an alliance of peace and friendship with the southern confederacy, and you wished to know if I had written that note. I replied that I had. At the same time I sent you a printed copy of my address to a mass meeting of about four thousand of the Cherokee people, also of their resolutions on that occasion, authorizing a treaty of alliance with the Confederate States. I furthermore informed you that my advice to all the red brethren was to be united and friendly among themselves. I have not heard from you since. Brothers, I am grieved to hear of so many bad reports which have been circulated throughout the land. Many of them are no doubt false and without foundation, and which, if not corrected and silenced, might lead to trouble and bloodshed. They should, by all means, be checked if possible. Motey Kennard, as chief of your nation, has appealed to me for the mediation of your Cherokee brethren, for the purpose of reconciling difficulties alleged to exist among your people, in consequence of the late treaty entered into with General Pike. I have promptly consented to do all in my power to restore peace and harmony among my brethren; and in order to enable me to act efficiently as a true and faithful brother, I have obtained from General Pike letters of safeguard for the protection of yourself and friends in coming to this place and returning home in safety, under the penalty of death for violating them. I have, therefore, appointed my friend and associate chief, Hon. Jos. Vann, to head a delegation on a mission of peace, and to make you a friendly visit, to hold a free and brotherly talk with you face to face, that you may fully understand the true position of your Cherokee brethren, and especially to invite you and your personal friends to come and visit your Cherokee brethren, now assembled in national council at this place, where we may all smoke the pipe of peace and friendship around our great council fire, kindled at Tahlequah eighteen years ago, and that all misunderstandings among the family of our red brethren may be forever buried in oblivion. Your friend and brother, Hon. Jos. Vann, who is bearer of important papers to you, will explain more fully the objects of his mission. I sincerely hope that you will not fail to come with him to shake the hands of brotherly friendship with your Cherokee brethren.

Your friend and brother,

JOHN ROSS,
Principal Chief Cherokee Nation.

To OPOTHLEYHOLO and others.

No. 109.

The address of John Ross, principal chief of the Cherokee nation, delivered at Fort Gibson to John Drew's regiment of Cherokees, on the occasion of the defection of the regiments on the eve of a battle with Opothle-yoholo, the leader of the non-conforming Creeks, 19th December, 1862, written out the day following by myself, and believed to be exactly correct—Hercules Martin interpreting.

Fellow-citizens, soldiers and friends: I appear before you this evening for the purpose of making a few remarks, previous to introducing your friend Col. Cooper, the commander of the confederate forces in the Indian country, who intends to address you. A few nights ago I had occasion to address some of you on a very strange and extraordinary occasion, and now that you are nearly all present, I will necessarily have to repeat much of what I then said. I then told you of the difficulty caused in the nation by the disruption of the United States, and the action taken by our neighboring States and tribes in joining the southern confederacy, which had left us alone, and of other matters of equal interest, that had made it necessary for us to call a convention of the Cherokee people.

This convention was held and numerously attended by the people, so that the acts of the convention were really the acts of the whole people. At that convention, it was agreed on that all the distinctions of color should cease among the Cherokees forever, and that the half-blood Cherokee should have equal rights and privileges with the full-blood Cherokee, and the full-blood have the same rights and privileges as their white-skinned brethren, and that the whole were to be a united people. It was also agreed on that for the interests of the nation our relations with the United States should cease, or be changed, for the reason I have stated, and a treaty be made with the south. For this purpose I was then authorized to enter into negotiations with the commissioner of the southern confederacy, with the view of making such a treaty. At the same time, and for this purpose, there were men in whom we had unbounded confidence, selected to negotiate and enter into a treaty with the south. Immediately after the convention, I despatched a messenger to this distinguished commissioner for the Confederate States, who was then in the neighborhood of Fort —, and informed him of our readiness to enter into a treaty. In the mean time, although there was no treaty made, it was deemed expedient to raise a Cherokee regiment for our own preservation, and for the purpose of repelling invasion and guarding our own border, and in any emergency of this kind to act in concert with the troops of the southern confederacy. This regiment was accordingly raised and organized at this place. On the arrival of the commissioner at this place, the regiment welcomed him and formed his escort to his headquarters at Park Hill, where the treaty was made. The treaty was made, to the entire satisfaction of all who were concerned in it. It is the very best treaty we have ever made, in many particulars, as it secures to us advantages we have long sought, and gives us the rights of freemen, to dispose of our lands as we please. On the very day the treaty was signed, it was submitted to the national council, then in session, and was there read and deliberated on, article by article, and was unanimously adopted and confirmed by both houses, and it thus became a law. By negotiating this alliance with the Confederate States, we are under obligations to aid the south against all its enemies, so that the enemies of the south are our enemies. * * * *

Under these circumstances the commissioner deemed it expedient to accept this regiment into the service at once. This was only delayed by the absence of the officer who was authorized to muster them into the service,

(late Colonel McIntosh, C. S. A.,) he having gone to duty under General McCullough.

But on learning this, Colonel Cooper sent another officer, who mustered them into the service, where the regiment has been since then, until the recent very strange, unaccountable blunder and confusion, when it acted as it did when it was brought against Opothleyoholo's people, a few days ago, which conduct has been examined into to-day, and settled so advantageously by Colonel Cooper, the commander of the forces on this frontier, feeling assured that it was evidently caused by a misconception of matters as they really exist, or a mistake or misunderstanding of what Opothleyoholo really is. When we concluded to enter into treaty negotiations with the Confederate States, by request of the commissioner I sent a messenger to the Osages and Senecas, requesting them to meet the commissioner at Park Hill, and they very promptly responded. I also despatched a messenger to Opothleyoholo for the same purpose, and advised him to submit to the treaty made with the Creeks, and to be advised by Colonel Cooper, who was his friend, and had used his utmost exertions to bring about peaceful relations with the parties in the Creek nation.

Opothleyoholo replied, that he was at peace with the south, with Colonel Cooper and the Cherokees, and desired to remain so. He was willing also to submit to all proper treaties, but that a party in his own nation was against him and his people, who would not allow him to be at peace. On this I used every possible means to settle the disputes between the parties and bring about peace, and hoped to succeed. The very last messenger Opothleyoholo sent to me—one of his chiefs, Mico,—asked for my advice and intervention. I then sent a letter, by the same messenger, to Colonel Cooper, expressive of my views, and sent back word to Opothleyoholo to come alone into the Cherokee country, where he would be protected, and to disperse his people and send them to their homes, and by no means to fight. But instead of doing this, he comes into the Cherokee country with a large armed force, and wantonly destroys the stock and other property of our citizens; by this means, without cause, invading our soil and proving our enemy. He, by his subtlety, seeks to inveigle the Cherokees into his quarrel, as he still tells them he was their friend, but proving by his duplicity that he is not, as shown by his acts; for, while pretending peace, he was preparing for war, and has been deceiving us all the time, and no doubt has his agents among you, deluding you into the belief that it was only a party feud, and that he was oppressed, while he was acting for the north all the time. The very last messenger sent to him by Colonel Drew was at his own request; yet with the full authority of Colonel Cooper and Colonel D. N. McIntosh, he was charged with offers of peace, and this was from the leader of the very party he complained of. Yet the messenger was intercepted and prevented from seeing Opothleyoholo by some of his chiefs, or officers, who were already striped and painted for war. It was this state of things that produced the strange blunder of this occasion, and caused the separation of the regiment.

Our treaty with the south is a good one, and, as I have said, is the best we have ever made, securing many advantages we did not before possess. It is, therefore, our duty and interest to respect it, and we must, as the interest of our common country demands it. According to the stipulations of the treaty we must meet enemies of our allies whenever the south requires it, as they are our enemies as well as the enemies of the south; and I feel sure that no such occurrence as the one we deplore would have taken place if all things were understood as I have endeavored to explain them. Indeed the true meaning of our treaty is, that we must know no line in the presence of our invader, be he who he may. We must not let the invader

carry the war into our land, but meet him before he reaches our lines and repel him. If, unfortunately, the invader should cross our lines, we must expel him by force, with the aid of our allies, and pursue him into his own country, as this is the intent of our treaty; for although we are more especially to be the guards of our own border, and are not required to go a long distance from our homes to fight the battles of the south, yet we are not restricted to a line when there is an enemy in view, but must repel him—pursue and destroy him. I hope you now understand it, and that everything will now go on well, as it should. I have no more to say, and will now introduce Colonel Cooper, the commander of the confederate forces in the Indian country.

The Cherokees gave their customary token of approval, when they were addressed by Colonel Cooper to the same effect as J. Ross. They were then addressed in the Cherokee language by Major T. Pegg, at some length, but this was not interpreted. Many of the regiments left for their homes that night, not approving of the treaty and its requirements.

The foregoing is almost verbatim, and contains at least the substance of all the chief said.

W. L. G. MILLER.

WM. HAYES.

True copy :

No. 110.

[Telegram.—Received at Washington October 24.]

HEADQUARTERS FORT SMITH, *October 23, 1865.*

SIR: I have just received the following letter from his Excellency Winchester Colbert, governor of the Chickasaw nation. The proclamation referred to, with the governor's message, will be forwarded by mail.

HENRY J. HUNT,
Brigadier General.

Hon. D. N. COOLEY,
Commissioner Indian Affairs.

EXECUTIVE OFFICE,
Tishoming, C. N., October 11, 1865.

GENERAL: I have the honor to inform you that the legislature of the Chickasaw nation convened on the second instant, and adjourned on the seventh. An act was passed ratifying the treaty of peace concluded at Fort Smith in September last between the commissioners on the part of the United States and those in behalf of the various Indian nations lately in alliance with the so-called Confederate States. An act also passed to provide for amending the constitution of the Chickasaw nation, and no doubt slavery or involuntary servitude, except as a punishment of crime whereof the party shall be duly convicted, will, as soon as it can be done consistently with the mode prescribed in the constitution, forever be prohibited within the jurisdiction of the nation.

The legislature declined for the present to pass an act abolishing slavery: first, because the constitution forbids it without first paying the owners of slaves in money the value thereof; and second, because, under the treaty of peace lately concluded with the United States, jurisdiction over that subject

was assumed by the United States, and it is presumed the President or other proper authority of the United States will by proclamation declare the slaves free.

The legislature, however, by resolutions authorized me to issue a proclamation to the people of the Chickasaw nation advising them at once to enter into such arrangements with their slaves as will best subserve the interests of all concerned. Many of our slaveholders have already voluntarily offered to their slaves choice either to go free or remain with them and work as heretofore for their food, clothing, doctor's bill, and the support of the old and the young who cannot work.

The plan suggested in my proclamation (copy of which is herewith enclosed) is briefly this: To apprentice all free negroes under twenty-one years until of age, to their former owners, provide for the aged over fifty, infirm, and employ the middle-aged at fair wages.

This system is the self-same under which Pennsylvania and other northern States got rid of slavery, and it is hoped will meet the approval of the President and people of the non-slaveholding States. It appears to cover the requirements of the United States government, that when emancipated the negroes shall be properly provided for. The legislature, by resolutions, provide for sending commissioners to Washington city in December next, as requested by the Commissioner of Indian Affairs, for the purpose of entering into all treaties and arrangements necessary and proper to renew former relations with the United States, and secure the rights and interests of the Chickasaw nation.

On the sixth day of July last General Bussey, by authority of the Secretary of the Interior, offered a safe passport and free transportation to the delegations from the various Indian nations lately in alliance with the so-called Confederate States. In consequence of the want of funds, we are constrained to ask that this favor may be extended to the Chickasaw delegation, consisting of four (4) persons, including the governor, together with his secretary and legal adviser, six persons in all.

We desire to start between the middle of November and the first December, and will be greatly obliged for an answer at your earliest convenience, with the request that you will telegraph their communication to Washington city for the information of the honorable Commissioner of Indian Affairs.

I am, general, very respectfully, your obedient servant,

WINCHESTER COLBERT,

Governor Chickasaw Nation.

Major General HENRY J. HUNT,

Commanding District Frontier, Fort Smith, Arkansas.

CENTRAL SUPERINTENDENCY.

No. 110½.

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,
Atchison, Kansas, October 23, 1865.

SIR: In compliance with the regulations of the department, I have the honor to make the following report of the affairs of the central superintendency.

In accordance with instructions from your office, dated June 23, which I received June 28, I proceeded to St. Joseph, Missouri, and entered upon the discharge of my duties of superintendent of Indian affairs, executing to Superintendent William M. Albin receipts for the moneys, property, and effects



belonging to the superintendency in his possession, and removed the same to this place on the 6th of July. The goods which I received from William M. Albin were twenty-nine packages of New Mexico goods, which have been forwarded to Santa Fé, and 101 packages of Arkansas goods, which have been sent for treaty purposes to the council held at Bluff creek, Arkansas. I also brought down from Nebraska City 121 packages of Bent's Fort goods, left over from last year, and stored them in the government warehouse at Fort Leavenworth, where they now are, subject to your further instructions.

There are also at Nebraska City eight packages of Nevada goods, also belonging to last year's shipments, which will have to remain there until next spring, it being too late in the season to forward them to their destination this fall.

On the 27th of June I was informed of the transfer from this superintendency to the northern superintendency of the Pawnees, the Ottobes and Missourias, Iowas, Sacs and Foxes of Missouri; and again, on the 27th of July of a like disposition of the same tribes comprising the Upper Platte agency viz: Cheyennes, Arapahoes, Ogalallas, and Brulé Sioux. This superintendency now contains the following-named tribes of Indians, viz: Shawnees, Kickapoos, Miamies, Kaskaskias, Weas, Peorias, and Piankeshaws, Kansas or Kawe, Ottawas, Sacs and Foxes of Mississippi, Chippewas, Delawares, Wyandotts, and Pottawatomies.

In consequence of the heavy spring rains, it is believed that the Indians of Kansas have not raised as good crops as ordinary, although they have devoted much more time and attention to agriculture than last year. The crops of corn and potatoes are about an average, but the small grain is much below. Very few buffalo robes and little buffalo meat have been procured this year, because the Indians, taught by the experience of last year, thought it more safe and profitable to remain at home and engage in farming than to go on the usual hunting excursions, where they would most likely come, in contact with the hostile Indians of the plains.

The statistical reports of farming show that there have been cultivated by the Indians of this superintendency about 9,000 acres, producing 5,465 bushels of wheat, 85,926 bushels of corn, 1,040 bushels of oats, 87 bushels of onions, 12,385 bushels of potatoes, 215 bushels of turnips. In addition to this, they have cut 1,895 tons of hay, and sold \$10,800 worth of furs. They own 396 frame, 1,352 log, and 50 stone houses, 5,423 horses, 3,415 cattle, 4,098 hogs, and 192 sheep.

The number of Indians in the superintendency is estimated at 5,924, owning individual property to the amount of \$929,435. There are 8 schools, 23 teachers, and 575 scholars. The above statistics are not so perfect as I would desire, some of the agents having thus far failed to forward their statistical reports of farming and education.

There are schools at all the agencies except the Osage River and Kickapoo, the most flourishing of which are the Pottawotamie, Missouri, and the Delaware schools. Many applications have been made by the youth of the neighboring tribes for admission to the St. Mary's mission school, which the teacher was compelled to deny, owing to the limited accommodations of the school. Something should be done to educate the youth of the Miamies and Kickapoos. Liberal provision is made by treaty for education, but the parents and guardians appear to prefer that the funds so appropriated should be paid to them as annuities, or for any other than educational purposes. I am of the opinion that the government should take hold of this matter, and not leave it to the option of either agent or Indian to divert the educational fund from its legitimate object.

The Miami children of all ages number 127; those of the Kickapoos 98; total, 225; of these not more than one-half, probably less, are fit to send to

school. I would respectfully recommend that these children be sent to the St. Mary's or Delaware school, or to the Ottawa University, when completed, and that their tuition fees be paid by the government out of the educational fund of the tribes, the Miamies and Kickapoos.

The Ottawa University, when completed, will accommodate not only the Miami and Kickapoo youth, but those of other agencies who may be excluded by want of room from their own proper school. The Ottawa University when completed will cost about \$15,000.

The treaty sets apart 5,000 acres of land for this object, which has been sold by trustees for \$6,250, and they have secured pledges for the balance by voluntary contributions from abroad. They contemplate enclosing the entire section of land on which the present school building now stands, and converting it into a farm, furnishing it with material and mechanical shops, where the youth of the Ottawa tribe and of other tribes can be instructed in all the arts as well as the sciences of civilized life by competent instructors. The funds necessary to make these improvements they are satisfied can be obtained by voluntary contribution and private subscriptions, leaving the proceeds of 15,000 acres—the balance of the 20,000 acres donated by the Ottawas for school purposes—to make a permanent endowment of the institution.

Agent Hutchinson and the leading men of the Ottawa tribe deserve great praise for the zeal with which they have labored to erect an Indian university that shall stand and flourish in the coming ages, when their tribe shall have disappeared with all the races of the red man before the ever-advancing wave of civilization.

It has been the practice of the department heretofore to ship to the superintendent at the central superintendency all goods for the Northern, Dakota, Idaho, Montana, Utah, Colorado, and New Mexico superintendencies, and to charge him with the amount of same, amounting sometimes to between \$200,000 and \$300,000. The labor of receiving and shipping so large an amount of goods, and of accounting for them on the books of this office, and also the responsibility, is very great. I would suggest, therefore, that all goods for the Northern superintendency, as well as the Utah and Nevada goods, be consigned to Superintendent Taylor at Omaha; those for the Dakota superintendency, as well as Idaho and Montana, be consigned to Superintendent Edmunds at Yankton, D. T., and the goods for this superintendency, as well as Colorado and New Mexico, be consigned to me at this place.

I do not desire to shirk any labor or responsibility the department may see proper to impose on me, but in this matter I do think that the labor and responsibility should be distributed where they properly belong.

I would also suggest the propriety of each superintendent being authorized to make contracts for the transportation of the goods consigned to him, as he ought to know, and generally does, the right kind of a person to choose for this service; and if, in addition to this, the superintendent were authorized to settle the freight bills, he could calculate with some degree of certainty as to the safe and speedy delivery of the goods, and the return to him of the property receipts and certified bills of lading.

I would respectfully and earnestly recommend that the salary of the clerk at this office be increased from \$1,200 to \$1,500 per annum, to make it equal to the salary of clerks at other superintendencies.

Very respectfully, your obedient servant,

THOMAS MURPHY,
Superintendent Indian Affairs.

Hon. D. N. COOLEY,
Commissioner, Washington, D. C.

No. 111.

KANSAS AGENCY,
Council Grove, Kansas, May 10, 1865.

SIR: I have noticed, and my attention has also been called to the fact, that several of the Kansas Indians, among them three chiefs, carry *revolvers*. These weapons, in the hands of intemperate men, cause a feeling of insecurity among both whites and Indians. It is thought that Indians, living within the States and in close proximity with the whites, should not be allowed to carry revolvers, pistols and knives, larger than the common sheath-knife. I concur in this opinion. Large numbers of Indians, of different tribes, will soon be mustered out of the service of the United States, and will bring their weapons home with them. I am well satisfied, from what I have seen of Indian soldiers, that with such weapons in their hands they will intimidate travellers and families living isolated, and that serious evil will come from it.

My own opinion is, that Indians situated as the Kansas and many other tribes are should be prohibited by law from carrying the weapons above named, and that in the mean time all such Indians should be forbidden by you from carrying said weapons; and if found in their possession after some date named, they should be taken from them by soldiers.

I make these suggestions, hoping that your extended acquaintance with Indians will enable you to provide a suitable remedy.

Very respectfully, your obedient servant,

H. W. FARNSWORTH,
United States Indian Agent.

Hon. WM. P. DOLE,
Commissioner Indian Affairs, Washington, D. C.

No. 112.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, June 2, 1865.

SIR: I enclose herewith a copy of a letter from Agent Farnsworth, of the 10th ultimo, relative to a habit of carrying revolvers by certain Indians of his agency. As this habit may extend to the Indians of other agencies, I desire to bring the matter to your attention, in order that you may give instructions to the agents in your superintendency in regard to the matter.

Carrying such weapons is a habit not tolerated even among white people. Among Indians it is not only to be deprecated, but must be prohibited. Otherwise, there would be no safety, either for themselves or for any one else in their neighborhood. You will, therefore, instruct Agent Farnsworth and other agents to take measures to have these and other concealed weapons taken out of the hands of the Indians. This may be done in a peaceable manner; but if it is necessary to resort to force, this department will request the assistance of the military to enforce a compliance with these instructions.

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner.*

WM. M. ALBIN, Esq.,
Superintendent Indian Affairs, St. Joseph, Mo.

No. 113.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Atchison, Kansas, August 8, 1865.

SIR: I have the honor herewith to transmit a letter from Agent Pratt, in relation to disarming the Indians, as he had been directed to do by me, in accordance with the instructions of Hon. Wm. P. Dole, contained in office letter of June 2, 1865.

I would suggest to the department that it might be well to modify this order, so as to apply only to Indians when they visit towns either inside or outside their reservations, at places of public resort, or at payments; and in these cases the agents, in my opinion, ought to have power to call on the military to enforce this order, in case it could not be done peaceably.

If the department can suggest a better plan, or thinks it best to continue the one now issued, I will do all in my power to see them carried into effect.

All of which is respectfully submitted.

Very respectfully, your obedient servant,

THOMAS MURPHY,
Superintendent Indian Affairs.

Hon. D. N. COOLEY,
Commissioner, Washington, D. C.

DELAWARE AGENCY, KANSAS,
August 8, 1865.

SIR: I am in receipt of your communication directing me to disarm the Indians of this agency. The measure commends itself at once. I have long wished such an order would be issued. On taking the matter in hands a difficulty arises:

1st. If weapons are forcibly or peaceably taken from the Indians, what disposition shall be made of them? They will set up a claim to the property, of course, and ask to be indemnified, or there will arise ill feeling. Many of them are intelligent, only using them, in time past, when any well-disposed white person would have done so. If one class is disarmed, they will demand that all shall be.

2d. Many of the young men of this tribe have been in the army, have come out of it with revolvers, and when intoxicated are dangerous men. They will sternly contest such an effort.

You will, I hope, pardon me for the delay in this matter, and for suggestions made. I sincerely believe we shall fail to accomplish the object without some plan of proceeding which shall appear to them to be the strong hand of the government. Get a Delaware Indian determined in his own course, and ordinary means will not restrain him.

I propose to act on your instructions, but meanwhile present these considerations. At payments, when they get money, and also whiskey, revolvers are handled with the utmost recklessness; lives of civil men are threatened for trivial causes, and the whole encampment rendered most uncomfortable, if not unsafe. This being the case, would it not be most to the purpose to have the movement, at first, be a military one. They know Indian matters are now largely controlled by this arm of the public service.

Respectfully, your obedient servant,

JOHN G. PRATT,
United States Indian Agent.

Hon. THOMAS MURPHY,
Superintendent Indian Affairs, Atchison, Kansas.

No. 114.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, Washington, D. C., August 16, 1865.

SIR: Your letter of 8th instant, containing suggestions in regard to carrying into effect the directions in office letter of 2d June, relative to disarming the Indians, is received, with its enclosure, being letter of Agent Pratt upon same subject. Upon consideration of the suggestions presented, I have determined to modify the order above referred to, so far as to allow all peaceably disposed Indians to keep in their possession, (except as hereinafter stated,) the usual weapons used by them in hunting, but not to carry concealed weapons; and that whenever they visit the agencies, and at payments, and whenever they visit towns, they shall deliver their weapons to their several agents, who will receipt for them, to be returned for the use of the Indians at proper times. The order, as herein modified, is for the benefit of the Indians themselves, and must be enforced, if possible, by appeal to their better judgment; but if difficulties occur, and are reported to this office, further instructions will be given.

Very respectfully, your obedient servant,

R. B. VAN VALKENBURGH,
Acting Commissioner.

THOMAS MURPHY, Esq.,
Sup't Indian Affairs, Atchison, Kansas.

No. 115.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 29, 1865.

SIR: The proposed "supplementary regulations" concerning the sale of allotments by Indian reservees, which were submitted in your letter of the 26th instant, are approved and herewith returned.

Very respectfully, your obedient servant,

JAMES HARLAN, *Secretary.*

The COMMISSIONER OF INDIAN AFFAIRS.

Supplementary regulations in relation to application by allottees of Indian lands for permission to dispose of their whole allotments.

1. In cases where an Indian to whom land shall have been allotted shall desire to dispose of more than one-half of the land so allotted, it shall be necessary, in the first place, for the reservee to furnish evidence of his capacity to manage his own affairs to the judge of the United States district court, or to some other judge of a court of record whose district embraces the reservation where the land is located.

2. Upon the presentation to the agent of a certificate, under the seal of the court, by such judge, that, in his opinion, the reservee is capable of managing his own affairs, together with an application for permission to sell or convey his whole allotment, or more than half thereof, the agent will forward the said application and certificate to the Indian Office, with a special report in each case, exhibiting the reasons for approval or disapproval of the application.

3. Should the application be approved by the Secretary of the Interior, the further proceedings taken will be in accordance with the regulations affecting conveyances of Indian funds, approved by the Secretary of the Interior, May 27, 1861.

No. 116.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, May 31, 1865.

SIR: On due consideration of the matter of transportation of the Indian annuity goods across the plains, referred to in your several letters of April 18, ultimo, and May 17 and 19, I have concluded upon the following course as the most advisable under all the circumstances.

The contract with Mr. McLennan having been sent to this office without date of execution inserted, is transmitted to you to-day, with instructions to attend to its being perfected, and you will forward to Nebraska City such goods as are to go by the northern route, that portion being, according to Mr. McLennan's letter of 15th ultimo, all that he intended to bid for. Great care should be taken, in shipping the goods upon the wagons, to have distinct bills of lading for each wagon, with marks and numbers, so that, in case of loss, the goods can be identified with certainty.

In relation to the goods intended for the Indians in charge of Colonel Leavenworth, you will have them stored safely, until advised that a proper time has come for forwarding them to their destination.

In regard to the other goods intended to go by the lower route, you are directed to make the best possible arrangements for their shipment. If you can make a more favorable arrangement with some other party than Mr. McLennan to take them from St. Joseph or Atchison, you are directed to do so; or if Mr. McLennan's proposition to take them from Atchison, as stated in his letter of 15th ultimo, is the best for the interests of the government, you will then forward the goods to that point to be shipped.

Having made your arrangements for the shipment of these goods, you will report your action to this office.

I trust that by a wise and prompt exercise of discretion, under the circumstances in which this matter of transportation has become involved, you will be able to report soon a satisfactory arrangement, bearing in mind the end in view, the safe and speedy transit of the goods to their destination, at the lowest possible cost to the government.

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner.*

WM. M. ALBIN,
Sup't Indian Affairs, St. Joseph, Mo.

No. 117.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, July 19, 1865.

SIR: Your letter of 8th instant is received, in reply to office telegram, inquiring as to shipment of annuity goods. You refer to the goods for the Kiowas, Comanches, and Apaches, and New Mexico tribes, as being, by office directions to your predecessor, "retained at St. Joseph to be shipped by the southern route," and request instructions as to their shipment. In

reply, you are referred to office letter of May 31 to late Superintendent Albin, in which he was directed to make arrangements for shipping these goods, and given full directions in regard to the matter.

Of course, in view of the state of hostilities existing with the Kiowas, Comanches, Apaches, &c., of the plains, the goods for those tribes will not be forwarded, but must be kept safely stored awaiting further directions; but no time should be lost in sending forward the goods for New Mexico, and this can safely be done, it is presumed, as all trains are guarded by troops.

Your immediate attention is requested to this matter, and on completion of arrangements for shipping the goods referred to, you will report your action to this office.

Very respectfully, your obedient servant,

D. N. COOLEY, *Commissioner.*

THOMAS MURPHY, Esq.,

Sup't Indian Affairs, Atchison, Kansas.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Atchison, Kansas, August 4, 1865.

SIR: I have the honor to inform the department that there are at St. Joseph, Missouri, nearly eight thousand pounds of freight for New Mexico. These goods are to go to Santa Fé. Owing to the lateness of the season, the scarcity of transportation, and the small quantity of freight to be taken, I find it difficult to induce freighters to take the goods. I have written to Leavenworth in relation to the shipment of these goods. I can get them taken from that city at twenty cents per pound. Messrs. Porter & Stebbins are now loading a train of forty wagons, loaded with their own merchandise, and bound for Santa Fé. They have agreed to take them out for twenty cents per pound from this city. The government will have to pay transportation on the goods from St. Joseph to this place, which will amount to \$20 or \$25.

I telegraphed you on the 29th ultimo in relation to this matter. Not receiving an answer, I am fearful you did not get my despatch.*

Be pleased to let me know by telegraphic despatch whether I shall send them or not.

Very respectfully, your obedient servant,

THOS. MURPHY,
Superintendent Indian Affairs.

Hon. D. N. COOLEY,
Commissioner, Washington, D. C.

No. 118.

OFFICE OF THE U. S. AGENCY FOR THE DELAWARE INDIANS,

September 25, 1865.

SIR: In my annual report of this agency for the year 1864 I presented the department with information as to population, mode of farming, &c., of the Delaware tribe of Indians, and it is deemed unnecessary that such facts have a repetition in this, for the reason that they are well known to the officers of your bureau, as well as to those persons who have endeavored to promote the interest of the Indians.

* Did not reach this office.

Agriculture being the main feature and channel which Indians should be induced to follow in order to earn a support, I respectfully submit the following items, derived from a source regarded as reliable, as the results of the past year in farming, to wit:

Corn, 58,762 bushels, valued at	\$29,381 00
Wheat, 2,565 bushels, valued at.....	3,847 50
Potatoes, 10,500 bushels, valued at.....	10,500 00
Hay, 350 tons, valued at	2,450 00
Sugar, 2,482 pounds, valued at.....	620 50
Total.....	46,799 00

There are of serviceable animals among them, which are for the most part the results of agriculture—

Horses, 554, valued at	\$40,800 00
Cattle, 989, valued at.....	24,725 00
Swine, 1,807, valued at	10,842 00
Sheep, 92, valued at	460 00
Total.....	76,827 00

Corn, wheat, potatoes, and hay have been an average crop.

It affords me great pleasure to chronicle the continued loyalty of the tribe during the past eventful four years, and as events tend westward they evince every disposition to aid the government by contributing their knowledge of the country to the officers of the army, and rendering such service thereto as they are qualified to perform. A large proportion of those who enlisted in the army during the rebellion have been mustered out of the service and returned to their homes, after having distinguished themselves in many instances in the various conflicts along the border.

The saw-mill has not been making such amount of lumber as could have been desired, for the reason that continued rains during the spring and summer rendered the roads almost impassable, which has been a serious obstacle in procuring suitable lumber. The two blacksmiths are constantly busy in repairing farming implements, &c.

The health of the Indians has been very satisfactory. No case of small-pox has occurred to my knowledge. A few deaths can be noticed, but they were consequent upon a want of proper care and attention on their part.

A report of Mrs. E. S. Morse, principal teacher of the schools, accompanies this, and to it attention is called.

In relation to the Wyandott tribe of Indians, I will say that the peculiar situation in which they are has produced some estrangement and difficulty, and very little can be done until congressional action can be had.

I am, very respectfully, your obedient servant,

JOHN G. PRATT,
United States Indian Agent.

No. 119.

DELAWARE RESERVATION, KANSAS,
September 23, 1865.

SIR: It again becomes my duty to report the progress and condition of the school with which I am connected as one of the teachers, located among the Delaware Indians of Kansas.

We receive all into the school who apply, and the people fully understand that none need be deprived of its advantages for want of suitable clothing. The invitation is, "Bring them as they are, and all necessities shall be supplied." At the expiration of the term a tidy suit is worn home. By following up this process many mothers have learned to fit garments neatly who could otherwise have had no opportunity of learning so necessary an art. The past year parents have furnished a greater variety of clothing than at any former time.

Ninety-five different names are upon our school register. The ages of these range from five to eighteen, nine only being over fourteen years; the majority between seven and twelve.

As the terms come and go there is but little variety in the general aspect of our school, except a change of pupils and text-books. McGuffey's series of Readers have been in constant use for the last five or six years. Eclectic school charts were introduced last winter. Willson's Primer and First Reader are favorites with the children, and I hope to have the addition of the school charts by the same author the coming year. The beautiful illustrations of this series please the eye and interest the mind of children in a very happy manner. Several of the scholars have committed much of the First Reader to memory from the love of it.

Reading and spelling receive the first attention, the pupils being required to *print* when they cannot *write*—not words alone, but phrases, paragraphs, hymns, portion of Scripture, &c. The exercise is rather a pleasure than a task. So soon as a child can print, however rudely, it is required to print upon the slate some adventure—a rabbit hunt, or fishing excursion, &c. Both sexes have a variety woven into every-day life at home; and having a daily exercise of the kind—weekly for the more advanced students—very soon arrange sentences quite intelligibly, except the misplacement of the pronouns *he*, *she*, and *it*. Practice, time, and patience overcome this fault. All the children are dependent upon the voice of the teacher for the elementary sounds of the language. Much more dependent are Indian children upon the teacher's voice in the acquisition of the English language, which is to them a foreign tongue. Six hours daily are devoted to study in the summer and five in the winter.

Arithmetic and geography claim and receive constant attention from such as are enough advanced, the latter being more readily learned than the former, though we have always had both boys and girls who have shown much ability and aptness in the use of figures.

Much miscellaneous instruction is given in astronomy, &c, as time and circumstances permit. A terrestrial globe, orrery, and diagrams are used in illustrations.

Wednesday and Saturday afternoons are occupied in domestic work, house-cleaning, sewing, and knitting, usual in so large and irregular a family.

The building occupied by the teachers and scholars is thirty-six feet square, of two stories, with two wings twenty feet square, each one story. The labor of keeping it in order devolves upon the girls, under the supervision of the teachers. The boys assist in planting, weeding, harvesting, chopping, and the like, but when they are not needed in the field they are gathered to their books on Wednesdays. Teaching boys while girls work is open to the objection that it serves to keep alive the old idea that woman alone was created to work. We find much greater improvement in children from families where women are most excused from the field.

Most of our early pupils are now heads of families, among whom are persons of comparative enterprise and industry. A few of these have children at school.

All the real improvement in this nation is found among those who have been directly or indirectly influenced by mission schools of different denominations. There is a party among us that is opposed to all schools, and yet we have pupils from their number.

In July we lost by death a sprightly girl of eleven years. At the time of her death fifty were in attendance. Within a week the number was reduced to less than ten. Subsequently we had twenty-six, but the last five weeks were rendered nearly useless from the interruption.

The Sabbath is devoted to religious instruction. The Bible is daily read and studied in school. By all the appliances within our reach we hope to aid in the elevation of such as come within our influence, *remembering always* that all effort will be of little avail without the blessing of our God.

Very respectfully submitted.

E. S. MORSE, *Teacher.*

Rev. J. G. PRATT,

United States Agent for the Delaware Indians.

No. 120.

OFFICE SUPERINTENDENT INDIAN AFFAIRS.

Atchison, Kansas, July 18, 1865.

SIR: I have the honor to acknowledge the receipt of late Commissioner Dole's letter of the 1st instant, directing me to make a personal examination of the Delaware school and to report specifically all the facts necessary to enable the department to decide whether the school is wisely and successfully managed; also as to the number of pupils taught, the description of the buildings, the number and character of the teachers, and as to what, in my opinion, would be a reasonable compensation for services per scholar; and in reply thereto I have the honor to report, that on the 14th instant I visited the Delaware agency, not being able to do so sooner for the reason that I was engaged in moving the office furniture, books and papers from St. Joseph to Atchison, under instructions of 23d ultimo.

The Delaware agency buildings are very pleasantly located on a rising knoll, with plenty of timber on one side and a beautiful prairie on the other. There are three buildings at the agency, consisting of the school, dormitory, and agent's house. The school-house is fifty-one by twenty-five feet, divided into two apartments—one for the boys, the other for the girls. The second building is thirty-six by thirty-six feet, two and a half stories high, with a wing on each side twenty by eighteen feet each, where the children sleep and are cared for when sick. The third building is occupied by the agent, to which are attached a kitchen and refectory, where the children take their meals. The grounds around the agency buildings present a beautiful appearance. There are an abundance of large shade trees in front and about the buildings, enclosed by a picket fence.

I found on my arrival fifteen boys and twelve girls at the school, all seeming to attend to their studies closely. The ages of these children are from six to seventeen; they are as intelligent-looking as any children I have seen in our own schools—are neatly dressed and look healthy. The agent informs me the hot weather had greatly diminished the number of the pupils.

From the agent's books I learned the following statistics, viz: The number of scholars in attendance for the term ending June 30, 1864, 49 boys, 42 girls; for the term ending December 31, 1864, 58 boys, 45 girls; for the term ending June 30, 1865, 54 boys, 41 girls.

The agent employs two female teachers, whom he represents to be well qualified for the position. Of the qualifications of one of them I am satisfied, she having lived among them for many years, and been engaged in teaching all the time. As a general thing, these Indian children rarely learn more than to read and write.

It is known to the department that Agent Pratt has been teacher of the Delaware school before his appointment as agent. I take pleasure in testifying to the great interest he seems to take in educating the Delaware youth.

As to compensation for services as teacher, I would recommend an allowance of at least one hundred dollars (\$100) per scholar per annum, and I doubt if that amount is sufficient when the greatly increased cost of provisions, clothing, &c., &c., is considered.

I am decidedly in favor of continuing the Delaware school, and I think that if only one boy and one girl shall have learned to read and write at the end of the year, it would be better than to leave none educated. As before stated, these children appear intelligent, and after looking at them, I should feel derelict in my duty if I did not recommend to the department a continuance of the policy of the government to endeavor to civilize, Christianize, and refine as far as possible the Indian children on our border.

Very respectfully, your obedient servant,

THOS. MURPHY,
Superintendent of Indian Affairs.

HON. D. N. COOLEY,
Commissioner, Washington, D. C.

No. 121.

OSAGE RIVER AGENCY,
Kansas, September 19, 1865.

SIR: I have the honor to submit for your consideration and approval my annual report for the year 1865.

The past four years have been years of constant trouble and danger to the Indian tribes living upon the border between Kansas and Missouri.

In consequence of the unsettled state of the country and the uncertainty of life and property upon the "border," the Indians in this agency have made slower progress in agriculture than they otherwise would have done.

Last fall and winter the small-pox broke out, first among the Miamies, and then among the Weas and Peorias. Two of the Miami chiefs and a considerable number of others died from its effects. The main cause was exposure and neglect.

I have called the attention of the Indian department to the subject of the orphan children, and to the propriety of having guardians appointed for them to see to their education and the care and control of their property. The practice has been to let any one take these children who was willing to do so, and they have too often got into the hands of those who have no interest in their welfare beyond the annuity which the orphans are entitled to from year to year. They are enrolled under the head of "children" in the families in which they live, and probably never see a cent of their own money from one year to another. The Miamies have made this the subject of repeated councils this spring, and have recommended the education of the orphan children and the appointment of suitable guardians, regularly appointed by the probate court and under bonds for the faithful performance of their duties.

They have also had under consideration the educational interests of the tribe, and exhibit a strong desire that their young men and young women

should be educated. A few of the children are now attending the St. Mary's school among the Pottawatomies, and are improving very rapidly. A portion of them belong to the church and live consistent with their professions. They have repeatedly expressed a desire that some suitable place should be provided in which they could have preaching. I asked permission of the Indian department to convert the blacksmith shop, which is abandoned, into a school-room and a place of religious meetings.

Early in the spring I addressed a number of communications to the Commissioner of Indian Affairs touching these several matters, but as yet have received no authority to do anything.

Complaints are often made by the Indians of depredations upon the timber of the reserve, and of individual head-rights. I find it very difficult to find who are the trespassers, from the fact that the whites are located all around the Indian lands, and being interested, will not inform of each other; and the Indians will not do it because they are afraid of the white people. I would most earnestly recommend that a treaty be made with the Indians as soon as possible, and that the lands should be sold.

Considerable excitement has been caused by the discovery of a tar-like substance in various portions of the Indian lands, supposed to be petroleum in a crude state. There are several springs where this tar can be found with little dirt in it. It is generally found near the beds of ravines, cropping out from the bank, dry and rather hard near the surface, but growing softer as you follow it into the bank. In some places the heat of the sun has melted it until two or three gallons have run out into holes in the ground. There are ledges of cannel coal in some places. There are a number of wells, I am told, upon the reserve, that have been dug and abandoned on account of the mingling of oil with the water, making it very disagreeable to drink. Several eminent geologists have visited these lands, and concur in the opinion that there is an abundance of oil seven or eight hundred feet below the surface, and also of coal. Two wells are being sunk upon the Wea lands, or, rather, upon lands to which the Indian title is extinguished by purchase, with the approval of the Indian department.

The Miamies number 127—46 males and 81 females. The average wealth in individual property, without estimating the land, is about \$120 a head. But a very small portion of the land is improved—perhaps an average of about fifteen acres to each family.

The confederated bands of Peorias, Piankeshaws, Kaskaskias, and Wea Indians have a population of 236—45 males and 131 females. They have an average wealth of about \$140 a head, and cultivate an average of about twenty acres to the family.

The following table will show the kind, amount, and value of the several products raised by the Indians, as well as the number and value of stock, farming implements, and household furniture:

Wheat, (nearly all spoiled,) 600 bushels, at \$2 per bushel.....	\$1,200
38,500 bushels corn, (an average of 25 bushels to the acre,) at 30 c.	11,550
500 bushels oats, (partly spoiled,) at 50 cents per bushel	250
1,100 bushels potatoes, (light crop,) at \$1 per bushel.....	1,100
600 horses, at \$30, (small and poor).....	18,000
750 head of cattle of all kinds, at the rate of \$10 a head.....	7,500
1,100 head of hogs, at \$3 per head.....	3,300
450 tons of hay, at \$3 per ton.....	1,350
Agricultural implements	10,000
Household goods.....	15,000

70,140

I desire to call your attention to the fact that in 1859, I think, there was an act of Congress passed cutting off about 14,000 acres from the Miami national reserve, and allotting the same to sixty-eight persons living in Indiana, beside some \$15,000 in money. This allotment of land and money is believed to be in violation of the treaty of 1854 between the government of the United States and the Miami tribe of Indians. It is claimed by the Miamies of Kansas that many of the persons whose names appear in the patents as owners of the allotted land have no existence, and never had, being fictitious; and many others never were Miamies, and never in any way recognized as Miamies, until recognized by the allotment of land aforesaid. The legislature of Kansas at the last session, in behalf of citizens living upon these lands, (before the allotment was made,) after hearing the facts, memorialized the President and Congress to investigate the matter. I would respectfully call your earnest attention to this matter.

I would recommend again, as I have done in previous reports, that the half-breed portion of the Indians be made citizens, and receive their portion of the annuities due the tribe as soon as possible. There is quite a number of this class among the Weas and among the Miamies. As a class, they are intelligent, sober, and industrious, and in every way fitted to become good citizens of the State or nation. I know of no just rule that will prevent this class from voting and holding office that will not apply to the great mass of white men also. These Indians, it is well known, live upon head-rights, and receive their money in per capita payments. They are mostly capable of transacting their own business, (I mean now the Indians proper, and not the half-breeds.) They are anxious, in the settlement of estates and in the care of Miami children, and indeed in everything else, to conform to the laws of the State.

I cannot close this report without expressing my obligations to Baptiste Peoria and Frank Valley for their influence and example among the Indians of the confederate bands, and of Thomas Richardsville among the Miamies. I am under great obligation also to Ambrose Shields and Susan Daggett, among the half-breeds, for their influence and example as sober, industrious, intelligent persons.

Respectfully, your obedient servant,

G. A. COLTON, *Indian Agent.*

HON. THOMAS MURPHY,
Superintendent Indian Affairs.

No. 122.

DEPARTMENT OF THE INTERIOR, OFFICE INDIAN AFFAIRS,
Washington, D. C., July 29, 1865.

SIR: I herewith transmit for your consideration a letter received at this office from chiefs of the confederated Kaskaskia, Peoria, Wea and Piankeshaw Indians, dated 28th ultimo, enclosing form of a lease proposed to be made by them of their lands for mining for oil, petroleum, &c.; also, a letter from Baptiste Peoria, dated 17th April last; copy of a report to your predecessor, 25th April last, his reply thereto, and copies of letters from this office, dated May 9, to Baptiste Peoria and Agent Colton, on the same subject.

I am of the opinion that a lease in the form proposed ought not to be approved, for the reason, among others, that in the event of the discovery of petroleum or other valuable mineral products, the royalty proposed to the Indians is wholly inadequate to the probable value of a lease of the entire

reserve. A lease for the purpose contemplated ought not, in my opinion, to embrace more than one-half the lands of the Indians, say alternate quarter sections, and should contain stipulations that the lands should be thoroughly explored within one year from its date, and the lease determine in case the lessees shall at any time fail to work the lands for a period of two years. It should also be stipulated that the lessees shall not interfere with the use of the lands by the Indians for agricultural purposes; that they shall only use so much of the surface as is actually necessary for carrying on the business and for the erection of buildings to be used in connexion therewith, and shall pay to the Indians at least one-tenth part of all products.

I respectfully request your consideration of the papers submitted, and your directions in the premises.

Very respectfully, your obedient servant,

D. N. COOLEY, *Commissioner.*

HON. JAMES HARLAN, *Secretary of the Interior.*

OSAGE RIVER AGENCY, KANSAS, *June 21, 1865.*

DEAR SIR: I have the honor to enclose herewith, in behalf of the Miami Indians of Kansas, a lease which they propose to make of the Miami reserve to certain parties therein named. The Indians have instructed me to forward the lease to you for the purpose of ascertaining whether it is satisfactory to you. I am convinced that this reservation is rich in mineral products, especially petroleum, and I would earnestly recommend that immediate steps be taken to develop them for the mutual advantage of the Indians and the State.

The terms of the lease are much more advantageous to the Indians than the leases which are being rapidly made by other parties all around them. The parties mentioned in the lease are responsible men, and undoubtedly able and willing to make their contract good. The Indians have already signed a similar lease, but thinking that it would exhibit more respect for the government, decided to send a copy of the lease without signing it for your consideration. It can be of no possible detriment to the lands; and if the conjectures of these gentlemen are true, the developments will not only be advantageous to the Indians but to the State.

Your early attention to this subject will much oblige the Miamies, who are waiting anxiously to have the work commenced on their reserve.

Respectfully, your obedient servant,

G. A. COLTON,
United States Indian Agent.

HON. JAMES HARLAN, *Secretary of the Interior.*

No. 123.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., July 31, 1865.

SIR: In reply to your report of the 29th instant, upon the application of General Mitchell, in behalf, &c., proposing to lease certain lands belonging to the Miami Indians of Kansas for purposes of mining, &c., I will state that your recommendation in the premises is approved, with amendments, as follows, viz: The company may prospect for six months, but the department

will give no exclusive right of occupancy to any land on which work is not actually being performed calculated to develop oil or other mineral products, such right of occupancy not to exceed one hundred and sixty acres for any one oil-well or mineral vein, or deposit, in actual process of development; and no one person or company to be entitled to more than one contiguous quarter section; and no one company or individual to acquire a lease of or to be permitted to hold and work in the aggregate more than two sections; and any fraudulent evasion of these restrictions or other conditions shall vitiate any contract; such lease not to prevent the sale of the lands by the government at any time, provided the acquired right to work mines and wells is reserved to the lessee in the sale.

Very respectfully, your obedient servant.

JAMES HARLAN, *Secretary.*

D. N. COOLEY, Esq.,
Commissioner of Indian Affairs.

No. 124.

UNITED STATES INDIAN AGENCY,
Kennekuk, Kansas, September 25, 1865.

SIR: I have the honor to submit the annual report relative to the affairs of this agency for the current year.

The Kickapoos now residing on this reservation number 72 men, 68 women, 98 children, or 238 in all. This number includes a band of Pottawatomies who have for many years resided on this reservation, but who not till the present year have been permitted to enjoy any of the privileges of the Kickapoo tribe. By order of the Commissioner they have received allotments of land under the late treaty, and have become fully incorporated with the tribe. This has been done in conformity with an agreement made in the year 1861, between the Kickapoos and this band, by which, in consideration of the payment of a sum of money, it was stipulated that the latter should enjoy equal rights and privileges with the Kickapoos in the soil and in the money then due or which should thereafter become due them from the government of the United States. The carrying into effect of that agreement causes no disturbance nor perceptible dissatisfaction on the part of the Kickapoos, though they had for so long a period before acted in apparent bad faith in regard to this agreement.

Thirty families of the tribe, numbering one hundred and nine individuals, have taken their lands in severalty under the provisions of the treaty of 1865, heads of families having allotted to them one hundred and sixty acres each, and other persons, including women and children, forty acres each.

Seventy-nine families, numbering one hundred and twenty-nine individuals, have their lands in common in a compact body of land set apart for their use, they having chosen to hold their lands in common, and not in severalty. This corner or reserve also includes lands reserved for the benefit of certain absent Indians, a portion of these having been long absent, and others, numbering about 120, having left the reservation within the past year or two under circumstances which led to the belief that they do not intend to return. They went to the south, and there has been no authentic intelligence concerning them for more than a year past, though there has been a current rumor that they were some months since destroyed in an encounter with the Comanches.

An unsettled state of affairs among those who have remained, growing out

of the changes of location caused by the treaty, and the existence, to some extent, of a sentiment in favor of a removal to the south, led to the sale of a good deal of their stock, farming implements, &c., during the year or two preceding the present. Their farming facilities consequently became much reduced. Last year the season was not a good one, and their crops turned out badly; hence the Kickapoos, at the beginning of the present year, were in reduced circumstances. They are now improving. Their staple crops this year are generally good, though their small fields of wheat failed, owing to a wet harvest. Their crops of corn and vegetables will produce a large yield.

The following is an exhibit of their farming operations :

Acres cultivated.....	800
Acres new ground broken this summer.....	60
Number of frame houses.....	2
Number of log houses.....	40
Bushels of wheat raised.....	600
Bushels of corn raised.....	20,000
Bushels of oats raised.....	800
Bushels of potatoes raised.....	1,500
Bushels of turnips raised.....	200
Tons of hay cut.....	300
Number of horses owned.....	169
Number of cattle owned.....	150
Number of swine owned.....	240
Number of gallons sorghum.....	1,000
Value of garden and other vegetables, \$450	
Number of wagons.....	29
Number of ploughs.....	88
Number of scythes.....	45
Number of cradles.....	7
Number of mowing machines.....	2
Sorghum mill.....	1

So far as the above statement is based upon estimates they have been carefully made.

But one member of this tribe can read, and not half a dozen of them can speak the English language. A mission school was formerly, for several years, in operation, but it was discontinued in 1861. The mission building has become almost ruined by neglect and the depredations of vandal white men, and the children have been growing up in ignorance. In the mean time the fund set apart for school purposes has been accumulating. I shall in a separate report, soon to be made, make a recommendation for the revival of the school and its permanent establishment.

There are no employes of the tribe except the agent and interpreter.

Very respectfully, your obedient servant,

F. G. ADAMS,
United States Indian Agent.

HON. THOMAS MURPHY,
Superintendent Indian Affairs.

No. 125.

POTTAWATOMIE AGENCY, *September 14, 1865.*

SIR : In compliance with the regulations at the Indian department I have the honor to submit the following report of affairs in this agency.

The Pottawatomies numbered, according to a census carefully taken on

the 1st day of June last, 1,874, of which 473 were men, 479 women, and 922 children, being a decrease of 404 since April 12, 1864, which decrease is accounted for by the fact that that number of the Prairie band left the reserve last summer, about forty going south in company with a large number of Kickapoos, it being understood that they were all to visit the Kickapoos of Red river, remain there for a winter's hunt, and return in the spring. The winter hunt was regarded as necessary by those of our Indians who went away, on account of the failure of their crops, and their being cut off from their usual fall hunt by the incursions of hostile tribes upon the plains, and the occupation of that country by the military, which they found would not distinguish between them and the wild Indians. The balance of about 400 Pottawatomies, for the same avowed reason, went north, the understanding here being, in regard to both parties, that they would return in the spring. Of those who went south nothing certain is known. Of the other party a very few have returned, the main body having scattered through parts of Iowa and Wisconsin, some having gone as far as Michigan. Having no growing crop here to subsist upon during the coming winter, and their best hunting season approaching, it is not probable that they will return this fall.

Although the crop of last year was regarded as a failure to a great extent, and the drought seemed to be quite as severe upon the Pottawatomie reserve as elsewhere in Kansas, the great body of our Indians were able to subsist themselves comfortably through the winter, and could have spared something towards aiding their friends who thought it necessary to seek relief from want by going abroad. On account of the considerable breadth of ground in cultivation a small yield per acre was more than sufficient, with what was in reserve from the year before, to afford a comfortable subsistence until the crop of this year could be brought into requisition, and the high price of all kinds of produce not needed by them for consumption rendered them quite as independent as their white neighbors.

The number of acres in cultivation this year is about the same as last; notwithstanding the diminution of the tribe, on account of the exodus of last summer, new fields have been fenced and some prairie broken. They have been very successful in their farming operations the present season. A larger crop of corn has been raised than ever before, and from present indications the yield of potatoes will be better than ever before. The wheat crop, although not a failure, is not as good this year as usual. We were visited with a severe hail-storm in May last, which injured the wheat and oats. Later in the season insects proved quite destructive to the wheat; probably one-half of the usual amount per acre was raised this year. Of oats we have about an average yield.

There has been in cultivation the present season, by members of the tribe, about 1,900 acres.

1,600 acres of corn, at 40 bushels per acre, are 64,000 bushels, at 50 cents per bushel.....	\$32,000
100 acres of wheat, at 10 bushels per acre, are 1,000 bushels, at \$2 per bushel.....	2,000
75 acres of oats, at 30 bushels per acre, are 2,250 bushels, at 50 cents per bushel.....	1,125
50 acres of potatoes, at 100 bushels per acre, are 5,000 bushels, at 50 cents per bushel.....	2,500
50 bushels beans, at \$1 50 per bushel.....	75
100 bushels onions, at \$1 per bushel.....	100
1,200 tons hay, at \$4 per ton.....	4,800
An amount of garden vegetables has been raised, the aggregate value of which is about.....	3,500

Other property of the tribe I estimate as follows :

Number of horses, 2,200; value per head, \$35.....	77,000
Number of cattle, 1,600; value per head, \$15.....	24,000
Number of swine, 500; value per head, \$3.....	1,500
Number of poultry, 4,000; value per head, 25 cents.....	1,000
Agricultural implements.....	12,000
Household goods.....	15,000
Gold treasured up in the hands of Indians, \$4,000; gold premium, 45 per cent.....	5,600
Treasury notes.....	2,000
Total.....	<u>184,200</u>

A large proportion of that part of the tribe who have received lands in severalty are industriously engaged in opening farms upon their allotments. They seem to feel quite at home—say they have arrived at their journey's end at last, have unpacked and gone to work. It has been a frequent subject of remark, "that the Pottawatomies are laboring more this year, and manifesting more of a determination to accomplish something for themselves than ever before." Much embarrassment has been experienced among the Indians in their farming operations for want of wagons; twenty have been distributed among them during the present season, and several more are needed.

A great want of these Indians in order to their civilization is a settled policy on the part of the government towards them, so that they may understand that any uncertainty in regard to their future condition and prospects depends, not upon any change of purpose of the government towards them likely to affect their interests, but wholly and entirely upon themselves. They need to feel, for once, that they have an abiding place for themselves and for their children. Many of our Indians who have received allotments are already sufficiently intelligent to be intrusted with the management of their own affairs, and the balance, who are sober and industrious, are improving rapidly, and at no distant day, with the proper encouragement, will become sufficiently advanced to take upon themselves the rights and duties of citizens. I am of the opinion that all parties would be benefited if a treaty could be made with the wild Indians with a view to their separation from the balance of the tribe, and their removal to some locality better suited to their mode of life—to some place where game is plenty and whiskey is hard to get.

Seventy-one Pottawatomies in the military service of the country, encouraged and advised thereto by the chiefs and principal headmen, attest the loyalty of the tribe to the government of the United States. A large per cent. of those who enlisted have died upon the battle-field, in hospital, or in southern prisons; the rest are being mustered out and are returning to their homes.

Our hunters have had the benefit of their usual hunt during the past year, in the winter, for the fur-bearing animals, and in the summer for the buffalo. About \$2,500 worth of furs were sold during the last winter and spring.

The St. Mary's mission school is in successful operation. There have been in attendance during the past year about 240 scholars of both sexes, and a regular attendance of 110 boys and 78 girls. The complete success of this manual labor principle, as carried out at this institution, is clearly manifested in the steady and sure advancement of the tribe in education, general intelligence, and constantly increasing energy displayed in the cultivation of the soil. Farming operations of all kinds at the mission have usually been attended with the fullest measure of success. Employing al-

ways, when practicable, the most improved implements of husbandry, they afford an example to the Indians which, I am happy to say, those who are able are not slow to imitate. There are now on the reserve twelve mowing machines of different patterns, some with reaping attachments, ten of which are owned and worked by members of the tribe.

We have at present employed in the tribe a physician, two blacksmiths and their assistants, two ferrymen, one wagon-maker, and one miller. The blacksmith's shop at St. Mary's mission becoming old and decayed, last winter was torn down, and a good, substantial building erected in its place by private subscription for the use of the blacksmith, without any cost to the government or the tribe.

For the sanitary condition of the tribe, see the accompanying report of the physician. I also forward herewith the report of Reverend I. F. Diels, in relation to the mission school.

Very respectfully, your obedient servant,

L. R. PALMER,

United States Indian Agent.

HON. THOMAS MURPHY,

Superintendent of Indian Affairs, Atchison, Kansas.

No. 126.

ST. MARY'S MISSION, *September 1865.*

DEAR SIR: The undersigned, physician of the Pottawatomie nation, most respectfully tenders his first annual report of the sanitary condition of the tribe under his care.

The Pottawatomies are surely and slowly progressing in correct notions of this branch of knowledge, as also in the other useful means for their advancement in religion, agriculture, and the arts of civilized life.

It is but a short time since the allotments of their lands in severalty to most of the nation took effect, and already the beneficial tendency is quite apparent, from the greater motives to industry, temperance, chastity, and the domestic comforts.

It is but fair to infer increasing usefulness of the physicians, *pari passu* with the increase of the virtue, knowledge, and social status of the people.

The laws of life being better understood, their homes made better and pleasanter, the young men more carefully guarded and their physical and mental wants better supplied, must, I think, eventuate in the increase of the numbers of this people, or at least prevent the rapid decrease, which this tribe, in common with others, has experienced.

Most of the varying changes of the changing year have passed during my professional connexion with this tribe, and I have to express to you the gratification I feel that the nation has not been visited with any sweeping pestilence, or decimating plague. Common health, I may say uncommon good health, has marked most of this period.

The first quarter passed with less sickness than is usually experienced in the winter months, although for a time variola, that great scourge of the Indian tribes, threatened general prevalence, and much anxiety was felt for the general safety; yet its malignancy was stayed, so that few deaths supervened therefrom.

I vaccinated great numbers of the people, and from this well known prophylactic I have reason to believe a great many lives have been saved.

Varioloid became rather common, many being sick therefrom; few deaths, if any, following strictly from that cause.

Pneumonia, bronchitis, measles, and a few other common diseases, constituted the maladies of the quarter, all of which have been mild and easily controlled.

The second quarter, much the same as the first; but as the season advanced, most of the cases were bronchial affections in infants, &c., with an influenza more or less attacking most persons.

The third quarter has been characterized by the usual diseases of summer months—diarrhoea, dysentery, and analogous affections, generally mild, and although quite large in number, but very few deaths.

Only a part of the fourth quarter has passed. Intermittents of a mild character are becoming quite common.

An uncommon rainy season has been prevailing over the reservation during the spring and summer months, and vegetation probably has never been more abundant, watery, and ready for putrescence on the supervention of dry, hot weather, than at this time.

Therefore, as the indications are that we shall have an increasing cause of disease, superadded to scrofula and scorbutis, more or less of which is prevalent, I fear much malignancy in the diseases of this coming fall and winter.

Hoping for future good predisposing causes and general health to the tribe under my care, I shall continue to act for the general weal.

I have the honor to be, your most obedient servant,

S. P. ANGLE, *Physician.*

S. R. PALMER, *U. S. Indian Agent.*

No. 127.

ST. MARY'S MISSION, POTTAWATOMIE RESERVE, KANSAS,

September 13, 1865.

DEAR SIR: In compliance with your request, I would respectfully submit this brief report.

Our schools, both male and female, have been kept in constant operation ever since my last report. The regularity, order and good spirit with which the children have attended have met with such success as to win the admiration of the very best judges that have from time to time visited our mission and witnessed their progress. We have made several improvements, to be able to accommodate more pupils. We board and lodge and clothe upwards of 200, and still we are obliged, for want of room, to refuse many who crave to be admitted.

The United States agents of the Kickapoo, Miami, Peoria and other tribes have applied to send children of their respective agencies to our schools. We hate to refuse an education so much desired and so much needed. Could the government, that has spent and done so much to civilize the red man when he was unwilling, perhaps, devise some means of aiding us in tutoring the scattered remnants of once mighty nations, who now knock at our door, but cannot find admittance because of the crowd within? For this we rely on the wisdom and kind feelings of our rulers.

I remain, dear sir, respectfully yours,

I. F. DIELS, *Superintendent of Schools.*

L. PALMER, *U. S. Agent.*

No. 128.

DEPARTMENT OF THE INTERIOR, OFFICE INDIAN AFFAIRS,

August 16, 1865.

SIR: Your communication of the 10th instant, transmitting letter of Agent Palmer in relation to persons of mixed or Indian blood trading without license among the Pottawatomies, is received. As the intercourse law of 1834 and the regulations concerning license are in force upon that reservation, as well as all others occupied by the Indians, and both law and regulations provide that no person shall trade in the Indian country without license, and that no license shall be granted to any except citizens of the United States, there can, I think, be no doubt as to the proper answer to Agent Palmer's inquiries and you will accordingly inform him that licensed citizens of the United States alone can be allowed to trade upon the reservation. The same principle will apply to the other agencies within your superintendency.

Very respectfully, your obedient servant,

R. B. VAN VALKENBURGH,

Acting Commissioner.

THOMAS MURPHY, Esq.,

Sup't Indian Affairs, Atchison, Kansas.

No. 129.

DEPARTMENT OF THE INTERIOR,

Washington, D. C., July 10, 1865.

SIR: Referring to your report of the 17th ultimo, inviting my attention to the fact that sundry applications of Pottowatomie Indians are now in your office for patents to their allotments, and for the present value of their annuities, because of their having been naturalized citizens of the United States, under the provisions of the treaty with that tribe, and having considered the questions submitted in said report, I have to direct that patents be issued to the heads of families of said tribe who are males over the age of twenty-one years, and have been naturalized and certified according to treaty stipulations; but not to minors nor females.

The value of the annuities of the tribe cannot be paid until Congress shall have made further provision for the capitalization of said annuities.

The letter of George L. Young, that accompanied your report, is herewith returned.

Very respectfully, your obedient servant,

JAMES HARLAN, *Secretary.*

WILLIAM P. DOLE, Esq.,

Commissioner of Indian Affairs.

No. 130.

SAC AND FOX AGENCY, KANSAS, *September 18, 1865.*

SIR: In compliance with the regulations of the Indian department, I herewith transmit my third annual report of the Indians under my charge.

The Sacs and Foxes of the Mississippi number, according to an enrolment made on the 15th of May, 1865, viz:

Number of men.....	244
Number of women.....	290
Number of children.....	271

Total.....	805
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Showing a decrease during the past year, of eighty-six. This decrease I cannot account for. During the past year the Indians have been remarkably healthy, and yet they seem to be gradually but surely passing away.

The personal property of the tribe I estimate as follows:

Number of horses and ponies, 1,700; value per head, \$40.....	\$68,000 00
Number of bushels of corn, 7,500; value per bushel, 40 cents....	3,000 00
Number of bushels of potatoes, 20; value per bushel, \$2.....	40 00
Number of tons of hay, 40; value per ton, \$5.....	200 00
Number of cattle, 26; value per head, \$20.....	520 00
Number of swine, 30; value per head, \$5.....	150 00
	<hr/>
	71,910 00
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The Sac and Fox mission school, under the supervision of Rev. R. P. Duvall and lady, has been regularly kept up. No effort has been made to increase the number of children, for the reason that there is no provision made by treaty or otherwise for the support of the school; but, relying entirely upon the liberality of the Indian Office for a small portion of the civilization fund, and the Indians, who are slow to appropriate any portion of their annuity for that purpose, our object has been to try to keep the school up, until a treaty is made which will make provision for sustaining and building up a good school among this tribe of Indians.

For details of mission school and farm I respectfully refer to the report of Rev. R. P. Duvall, missionary and teacher, who is faithfully laboring for the elevation of these Indians.

The Chippewa and Christian Indians, connected with this agency, are a small tribe, numbering eighty souls, viz:

Number of men.....	18
Number of women.....	23
Number of children.....	39
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Total.....	80
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This little tribe is making some advancement in civilization. They hold their lands in severalty, each having forty acres. This year they have raised fine crops of corn and vegetables—we think plenty to do them.

The Chippewa and Christian mission school has been regularly kept up by Rev. J. Remig, Moravian missionary and teacher, who I feel satisfied is doing all in his power for the elevation of the tribe. See report.

I estimate the personal property of the tribe as follows, viz:

Number of horses and ponies, 70; value per head, \$40.....	\$2,800 00
Number of cattle, 130; value per head, \$20.....	2,600 00
Number of swine, 200; value per head, \$5.....	1,000 00
Number bushels of corn, 6,900; value per bushel, 40 cents.....	2,760 00
Number bushels of oats, 100; value per bushel, 60 cents.....	60 00
Number of bushels of potatoes, 150; value per bushel, \$2.....	300 00
Number of bushels of turnips, 15; value per bushel, \$1.....	15 00
Number of tons of hay, 60; value per ton, \$5.....	300 00
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Total.....	9,835 00
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The employés at this agency are, blacksmith, assistant blacksmith, gunsmith, physician, and interpreter. I am gratified to be able to state that all the employés have faithfully discharged their respective duties, and to the entire satisfaction of the tribe.

In conclusion, I will add, that there has been a decided improvement in the Sacs and Foxes, morally, during the past year. I am satisfied during that time there has not been one tenth part of the drinking or drunkenness among them that existed two years ago. The natural result is, that they have been peaceable, quiet and industrious. Notwithstanding the extreme wet during the season, they have raised more corn, beans, and pumpkins than in any former year since I have known the tribe.

Very respectfully, your obedient servant,

H. W. MARTIN, *U. S. Indian Agent.*

HON. THOMAS MURPHY,

Superintendent Indian Affairs, Atchison, Kansas.

No. 131.

CHIPPEWA AND CHRISTIAN MISSION, KANSAS,

August 8, 1865.

SIR: In compliance with your request for a report of the school mission and agriculture of the tribe, I submit the following:

The school for the greater part of the past year has been kept by Miss Kate E. Ricksecker, who came west solely to aid us in our labors, and spend a year or two in the instruction of Indian youth, with no other charges than that her expenses be paid.

The school prospered in her hands, considering unavoidable difficulties. There were eight months school kept; the autumn term was slimly attended, in consequence of more or less sickness, and of opposition shown by certain disaffected persons, but the spring term was quite well attended. In this latter term of five months, or 103 days, there were in attendance fourteen boys and fifteen girls; average attendance of boys three—girls five and one-fourth. One little girl was present 99½ days out of the 103; others were present 55, 60 and 70, while some were present but 10 to 30 days, and their progress was in like proportion. On the whole, we are very much pleased with the progress of the scholars.

Sabbath school and preaching have been well attended, and there is certainly reason to be encouraged in laboring here.

In agriculture the tribe is making steady progress, as the accompanying table will show.

Yours, respectfully,

JOS. ROMIG, *Missionary.*

H. W. MARTIN, *United States Indian Agent.*

No. 132.

SAC AND FOX MISSION, *September 20, 1865.*

DEAR SIR: The following constitutes the third report of the mission school among your Indians:

Whole number of children for the present year 25—boys 15, girls 10; average 16. Two have died during the year, and six have been taken from the school in consequence of removal of parents from the tribe. These children have been clothed and subsisted by us and instructed daily in orthography, reading, writing, and arithmetic. Those who have been with us from the beginning are finishing up Wilson's Second Reader, and are perfected in spelling all their reading lessons. They write skilfully, and read writing as readily as print. They have obtained a practical knowledge of the five

principal rules of arithmetic, and solve short problems on the blackboard, with the expertness of the generality of children. The boys assist in farming, and the girls in housework, sewing, &c. These children bid fair for domestic happiness, and if properly cared for will make good citizens. Our greatest drawback, as heretofore, is short rations. The child's annuity is used in clothing it, which prevents others from sending in their children, the annuity among the majority being the only value placed upon the child. This must be remedied before there can be a sufficient influx of children to justify keeping up the school, and I assure you a reform will never be wrought in the tribe by educating the few, unless the majority are enlightened. Superstition, bigotry and barbarity will continue to rule.

The \$400 appropriated semi-annually by the council, with the proceeds of the farm, fails to meet the yearly expense of subsistence, employes, incidentals, &c.; hence, unless subsistence and clothing can be had for at least the majority of the children in the tribe, we had better abandon the enterprise, by returning the present children to the wigwams, and give the mission buildings and farms over to the prairie fires, and let the tribe look to nature's fields for future comfort. While the disposition made by the government of those treaties constructed by the Indians, providing for the support of their school, has tended greatly to discourage the tribe in their purpose of changing their habits, I confess, sir, that the few years' experience of making "brick without straw" has caused me to conclude, truly, the Christian's reward to be of eternity and not of time. But may we not hope, now that the war is over, the present powers that be will come to the rescue. We will wait another term of Congress, and if no further provisions are made, we will request at the spring session of conference another field of labor.

Your continued efforts with the council to procure means of support from the annuity of the tribe are appreciated, and your success in inducing these uncivilized, roving, blanket Indians to demonstrate their interest by contributing out of their meagre living for the support of a school speaks your skill and unsurpassed success in managing the North American Indian in his heathen state.

The farm was all planted in good season, but in consequence of extreme rain at the ploughing season the crop will fall below an average, as follows: Corn, 78 acres, at 30 bushels per acre, 2,340 bushels; sorghum, 8 acres, at 70 gallons per acre, 560 gallons; potatoes, 2 acres, at 70 bushels per acre, 140 bushels.

Respectfully submitted.

R. P. DUVALL, *Sup't of Mission School.*

Major H. M. MARTIN, *United States Indian Agent.*

No. 133.

WASHINGTON, D. C., *February 23, 1865.*

SIR: Understanding that the proceeds of the lands of the "Sac and Foxes of the Mississippi," already advertised and sold, are insufficient to pay the existing and outstanding debts of said Indians under the provisions of the treaty of July 9, A. D. 1860, we would therefore recommend, in order to settle these debts and avoid the accumulation of interest thereon, the selling of a sufficient quantity of their lands (in addition to that already sold) to pay all claimants against said tribe now due.

Respectfully, yours,

S. C. POMEROY, *U. S. Senator.*

J. H. LANE, *U. S. Senator.*

A. C. MILLER, *M. C.*

SIDNEY CLARKE, *M. C. Elect.*

Hon. W. M. P. DOLE, *Commissioner of Indian Affairs.*

No. 134.

DEPARTMENT OF THE INTERIOR, OFFICE INDIAN AFFAIRS,
February 27, 1865.

SIR: I herewith transmit, for your consideration, a copy of a communication from the senators and representatives, present and elect, from Kansas, recommending that an additional quantity of the lands of the Sac and Foxes of the Mississippi be placed in market and sold, in order to provide means for paying the outstanding indebtedness of said Indians.

By reference to the report, dated June 30, 1862, of Messrs. Wolcott and Barnett, commissioners to set off the Sac and Fox diminished reserve, and allot the lands therein to those entitled thereto, it is found that the whole diminished reserve contains 240 sections; that after providing for giving each member of the tribe entitled thereto eighty acres of land, there would still remain 104 sections not needed for their use, and that the allotments were so made that the surplus land might at any time be sold, should such course be necessary. I recommend that steps be taken to place these surplus lands in market at the earliest practicable day.

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner*.

Hon. J. P. USHER, *Secretary of the Interior*.

Indorsed: Approved.

J. P. USHER, *Secretary*.

FEBRUARY 27, 1865.

No. 135.

OTTAWA, FRANKLIN COUNTY, KANSAS,
September 1, 1865.

SIR: I have the honor to transmit to you herewith my fifth annual educational and agricultural reports.

This tribe, under the stipulations of the last treaty, is soon to assume the duties of citizenship. Many of them are doing well, opening good farms and accumulating property; but perhaps an equal number are not improving much.

The small-pox was brought among them last spring by southern refugee Indians, and could not be stayed in its progress until many were swept off. About thirty died with that and other diseases, but meantime several Ottawas from Michigan have moved into their midst, leaving the whole number about 200.

Of the school lands belonging to this tribe, and held by the trustees of Ottawa University, 5,000 acres were sold, under treaty stipulation, for \$6,250. This amount, and considerable more, has been expended on the college building, and means are adopted by the president, Rev. J. S. Kalloch, to secure enough to complete, at an early day next spring, an elegant cut-stone building, 40 by 65 feet, and three and one-half stories high. We believe this institution will yet become a great benefit to the tribe and surrounding country. All the means required to complete and furnish the building, above the amount received for the 5,000 acres, will be obtained from whites friendly to the enterprise. About \$5,000 had already been subscribed in this State alone.

I have had the usual amount of trouble from meddling and whiskey drinking whites; yet on the whole, and I believe entirely, excepting in some instances relating to their locations under the treaty, this tribe is contented and is industrious as usual.

The land sales have proceeded with great rapidity until very recently. About 10,000 acres remain to be sold, and this lies back from the streams, and on the dividing prairies. Of course the sales cannot now be expected to be very brisk after the best land and timber is sold. There were several hundred acres of college land located in the timber. This has been sold in small tracts, ten and twenty acres, to persons buying the Indian trust land prairie, but this timber is also nearly all promised or sold. A small portion of this tribe have been desiring to move south, but are now undetermined.

Very respectfully, your obedient servant,

C. C. HUTCHINSON, *U. S. Indian Agent.*

Hon. T. MURPHY, *Sup't of Indian Affairs, Atchison, Kansas.*

No. 136.

KANSAS AGENCY, COUNCIL GROVE, KANSAS,

June 28, 1365.

SIR: I have the honor to acknowledge the receipt of your letter of 17th instant, enclosing a copy of what purports to be a treaty between the Pawnee and Kansas Indians.

Some two weeks ago I received a copy of the same treaty from Agent Lushbaugh.

At the request of the head chief and others of this nation I give you their account of this matter.

Last winter, while the Kansas Indians were in the buffalo country with their families, a party of Pawnees came upon them in the night and stole forty horses, leaving several families entirely destitute. This spring the Ottobes have made the Kaws several friendly visits, and on their last visit offered to go with the Kaws to the Pawnees and assist them (the Kaws) in getting back their horses which had been stolen.

Accordingly, a small party of Kaws went to the Pawnee agency, where they say they saw almost all the horses which had been stolen from them last winter. The Pawnees, instead of giving up the horses, proposed a treaty, agreed to quit stealing from the Kaws, and made the Kaws a present of six or seven ponies. The Kaws being few, only four or five, agreed to it as the best they could do under the circumstances, as they could not get their own horses by force or strategy, (stealing.) They say that they had no authority to make a treaty, and "only shook hands with the tips of their fingers." Now the Kaws wish you to interpose your authority in this matter, and command the Pawnees to deliver up their horses at this agency. I am informed by men who have lived at Council Grove ten years or more, that the Pawnees have not failed to make an annual raid into this country and steal stock from both white men and Indians. Which tribe has the best in this business I am unable to say; but I think, when the property of one tribe is found among another tribe it should be given up, and a treaty made after the stolen property has been restored.

Very respectfully, your obedient servant,

H. W. FARNSWORTH,

United States Indian Agent.

Hon. WM. P. DOLE,

Commissioner Indian Affairs, Washington, D. C.

No. 137.

OFFICE SUP'T INDIAN AFFAIRS, NORTHERN SUPERINTENDENCY,
Omaha, Nebraska, July 24, 1865.

SIR: Please find enclosed copy of Agent Wheeler's letter, of the Pawnee agency, responsive to my letter of the 15th instant, which contained copy of your letter of instructions of 7th instant; also copy of treaty of peace between the Kaw and Pawnee Indians, instructing Agent Wheeler to investigate the matter as to the alleged violation of treaty, and directing that all horses found in the possession of the Pawnees belonging to the Kaws be restored to the same. From Agent Wheeler's letter you will see that some ten (10) horses (old and young) had been given over to Agent Lushbaugh, (the former agent of the Pawnees,) and that they are now in the possession of the head chief of the Pawnees. I presume, from the tenor of Agent Wheeler's letter, that the Indians have the horses with them while out on their summer hunt. Permit me to inquire, as the question will likely soon arise, whose duty it shall be to repossess the Kaws of their horses, so soon as the matter can be reached.

I am, sir, very respectfully, your obedient servant,

EDWARD B. TAYLOR, *Superintendent.*

HON. COMMISSIONER OF INDIAN AFFAIRS.

PAWNEE INDIAN AGENCY, GENOA, NEBRASKA,
July 22, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 15th instant, covering copies of letters from the honorable Commissioner Dole and Agent Farnsworth, of the Kaw Indians.

My Indians are now all away on their summer hunt, and I am, therefore, unable to make the necessary investigation as you desire, but will do so at the earliest opportunity and report to you. Agent Lushbaugh informed me, upon my taking possession of this agency, that he had found among the Pawnees some horses belonging to the Kaw Indians, described as follows: two bay stallions; one bay mare marked J; 1 gray mare; 1 sorrel horse with ears split; 1 bay mare and colt; 1 iron-gray mare, and 1 bay mare and colt, which he (Lushbaugh) took possession of and put in charge of Se-de-te-haw-weet, the principal chief of the Republican band of the Pawnees, who still holds them, and which are subject to the order of the agent of the Kaw Indians.

I am, sir, very respectfully, your obedient servant,

D. H. WHEELER, *U. S. Indian Agent.*

Col. E. B. TAYLOR,

Omaha City, Nebraska Territory.

No. 138.

DEPARTMENT OF THE INTERIOR, OFFICE INDIAN AFFAIRS,
August 2, 1865.

SIR: Your letter of the 24th ultimo is received, transmitting copy of Agent Wheeler's report of 22d relative to horses in possession of the Pawnees which belonged to the Kaw Indians. In reply to your inquiry as to "whose duty it shall be to repossess the Kaws of their horses, so soon as the matter

can be reached," I have to direct that the stock be returned to the Kaws, at the expense of the Pawnees, and that instructions be sent to Agent Wheeler to make arrangements for such restoration, and carry it into effect as soon as practicable.

Agent Wheeler should be directed to communicate with H. W. Farnsworth, agent for the Kaws, at Council Grove, upon the subject.

Very respectfully, your obedient servant,

D. N. COOLEY, *Commissioner.*

E. B. TAYLOR, Esq.,

Supt of Indian Affairs, Omaha, Nebraska Territory.

No. 139.

KANSAS AGENCY, COUNCIL GROVE, KANSAS,

September 5, 1865.

SIR: I enclose for your information copies of correspondence between Agent Wheeler and myself.

My letter to you, of June 28, contains a statement of this matter, which I think is true, and I believe the Pawnees should be made to pay the Kaws for all the damage they have suffered at the hands of the Pawnees.

Very respectfully, your obedient servant,

H. W. FARNSWORTH, *U. S. Indian Agent.*

HON. D. N. COOLEY,

Commissioner Indian Affairs, Washington, D. C.

PAWNEE INDIAN AGENCY, GENOA, NEBRASKA,

August 22, 1865.

SIR: I am directed by the honorable Commissioner of Indian Affairs to communicate with you in reference to eight head of horses that are here, which belong to the Kaw Indians, and have them returned to the Kaws at the expense of the Pawnees. I now await your instructions before sending my interpreter to your place with them. It will be my earnest desire and endeavor to have peace and friendship between the Kaws and Pawnees. It is to be hoped that the restoration of these horses will show your Indians that it is the wish of the Pawnees to continue the friendship pledged in the treaty recently made at this place between the two tribes. It will be my earnest endeavor to prevent the Pawnees from stealing any property from the Kaws or other friendly Indians in future. Hoping to receive your cordial co-operation in this matter,

I remain, sir, very truly, your obedient servant,

D. H. WHEELER, *U. S. Indian Agent.*

Major H. W. FARNSWORTH,

Council Grove, Kansas.

KANSAS AGENCY, COUNCIL GROVE, KANSAS,

September 4, 1865.

SIR: Your letter of the 22d ultimo was received in due time. On the 1st instant the whole nation was in council, and your letter was read to them. They say it is their desire to live on terms of peace and friendship with the Pawnees, but that the persons who made the late treaty with the Pawnees had no authority to do so, and, therefore, it is not binding on them. With

reference to the eight horses which you propose to send, the Kaws say that the Pawnees stole *forty* horses from them last winter; that the party recently visiting the Pawnees saw between twenty and thirty of the same horses; that seven were returned to them; that there are now due thirty-three, instead of eight; and that they decline to receive the eight until the Pawnees are ready to do them full justice, and return the thirty-three. When this is done, they will respect the rights of the Pawnees, and live on terms of friendship with them. I shall use my best endeavors to persuade the Kaws to *do right* in their intercourse with the Pawnees, and all others, and from the tone of your letter I doubt not I shall receive your hearty co-operation. I hope the demand of the Kaws will be complied with, for I consider it as little as they ought in justice to accept; for by this theft of the Pawnees several families were left without horses in the depth of winter, in the buffalo country, and, to my knowledge, were compelled to hire white men to transport their goods home. A copy of your letter and this answer will be forwarded to the Commissioner of Indian Affairs. Hoping that this matter will be speedily and justly settled,

I am, very respectfully, your obedient servant,

H. W. FARNSWORTH, *U. S. Indian Agent.*

Major D. H. WHEELER,

United States Indian Agent, Genoa, Nebraska.

No. 140.

AGENCY OF THE COMANCHE, KIOWA, AND APACHE INDIANS,

Fort Larned, Kansas, January 9, 1865.

SIR: I have the honor to enclose herewith papers relating to the late massacre of friendly Indians by Colonel J. M. Chivington,* near Fort Lyon. It is impossible for me to express to you the horror with which I view this transaction; it has destroyed the last vestige of confidence between the red and white man. Nearly every one of the chiefs and headmen of the Arapahoe and Cheyenne tribes who had remained true to the whites, and were determined not to fight the whites, were cruelly murdered when resting in all the confidence of assurances from Major Wyncoop, and I also believe from Major Anthony, that they should not be disturbed. Those that did escape can never have any influence with their tribes; and now the question is, what can be done? Nothing; unless the department takes the matter up in earnest, and demands that the parties who were the cause of this wicked treatment of the Indians be properly dealt with. Major Wyncoop, of the Colorado cavalry, was doing all that it was possible for an officer to do to pacify the Indians, and had restored comparative peace to this frontier, when all his work was destroyed, and an Indian war inaugurated that must cost the government millions of money and thousands of lives. These are the bitter fruits of Governor Evans's proclamation that I sent you last summer—"to the victor belongs the spoils." I then stated that those men could not stop to inquire if the Indians they should come in contact with were friendly or hostile. When Major Wyncoop went to Denver with the chiefs of tribes under his charge, why did Governor Evans refuse to act in any way, for or against them; they said, "tell us you will fight us, and we will go where you cannot fight us," for they were determined not to fight the whites. These very Indians were standing as mediators, and had purchased from their captors white prisoners, and set them free by delivering them in safety to Major Wyncoop, and had two more white women and one child they had sold

* The papers referred to in the above were not received.

horses to purchase, and who would have been restored to their friends in forty-eight hours more had not Colonel Chivington committed this homicide. Little Bear escaped with his band, and it is due to him and to humanity that no effort be spared, in my opinion, to save him and his from certain destruction.

I am making every effort possible to find the Comanches and Kiowas, but I have little hope of succeeding.

Very respectfully, your obedient servant,

J. H. LEAVENWORTH, *U. S. Indian Agent.*

Hon. W. P. DOLE,

Commissioner Indian Affairs, Washington, D. C.

No. 141.

COUNCIL GROVE, KANSAS, *February 19, 1865.*

SIR: I have the honor to inform you that I have just this moment received a message from a party of the Indians of my agency, consisting of ninety-six in number. They were found by a party of friendly Wecos and Keitchies that I had sent out. They send me word that they shall not war any more until I meet them, which will be in a few days. I have also to report that the great exposure to which I exposed myself to find these Indians has resulted in a partial paralysis of my feet and limbs, so that for the last two months I have been confined to my bed. I am now much better, and start to meet these Indians on the 21st instant.

Now, Mr. Commissioner, if I can so control the military as to prevent them from committing outrages on these Indians, I can give peace to the frontier at once. If they will obey my orders, I can save millions to the government.

In haste, your obedient servant,

J. H. LEAVENWORTH, *U. S. Indian Agent.*

Hon. W. P. DOLE,

Commissioner Indian Affairs, Washington, D. C.

P. S.—I will keep you advised of my movements. The Indians send me word, that no one shall be molested on this line of travel until after they meet me. They met many whites on their way in, but committed no outrages.

No. 142.

COW CREEK RANCH, KANSAS,
60 miles east of Fort Larned, Kansas, *May 6, 1865.*

SIR: I have the honor to enclose a copy of a letter just received from the headquarters of the district of the upper Arkansas.

In order that you may know the position of affairs in your department on the upper Arkansas, I would state that as soon as I got in communication with the Indians of the upper Arkansas, (which fact I communicated to you in February, 1865,) I visited General Ford, and consulted him as to what course the military would pursue. He referred the matter to General Dodge. General Dodge said, "the military had no authority to treat with the Indians, but their duty was to make them keep the peace." Finding such the case, I felt it my duty to visit Washington, and try and have things understood. I did so, and with honorable Senator Doolittle visited General Halleck. He

assured us the military *did not fight friendly Indians*, and telegraphed General Dodge to be cautious, and advised me to see General Dodge. I did so at St. Louis. He said, "he would not fight friendly Indians," and telegraphed General J. H. Ford, commanding this district, to be careful and not come in conflict with the Comanches and Little Raven's band of Arapahoes. After accomplishing this, I came without delay to this frontier, and have been diligently at work since getting the Indians together, so as to have a full understanding with them. In this I succeeded, and was looking for them every day. I had heard from them twice, and all were friendly. White men were in their camps and represented them all quiet. Now I am obliged to send them word not to come; what the effect will be is more than I can tell; if all the tribes combine, it will be a troublesome war. They had promised me not to come on this line of travel, nor molest any white men; this promise they have kept, I believe, for there is no evidence of any Indians from the south. However, a few days since a train of Mexicans were attacked at Plumb Buttes, (where an Indian was killed last fall, supposed to be a Cheyenne or Sioux,) near here, and four Mexicans killed and scalped.

The mail stock, with some other stock at this place and Little Arkansas, was driven off by the Indians. I could not account for this unexpected outbreak, and at once repaired to Fort Zarah, at which place I met General Ford, and after looking the matter all over, and taking everything into account, such as a small party of Indians having been seen north of Fort Larned, the arrows found, the moccasin tracks, and more particularly the fact that the southern Indians will not kill Mexicans, they having so many Mexican prisoners, we are satisfied it was a band of northern Indians, and the general said he should not move his forces against the Indians, but await orders. I supposed he would report all the facts to General Dodge, and that I would be allowed to go on with my plan of getting the Indians together. Then through the chiefs and headmen I would soon have found out who had committed these murders. But now, as "no peace movements or propositions" are to be entertained, I await your orders.

I have nearly the half of the goods for the Indians of the upper Arkansas of last year here for distribution, the balance is at Leavenworth City. The goods are not safe here; there is no storage at Fort Zarah, or Fort Larned—what shall I do with them? I do not know, unless I take them back to Leavenworth. The goods purchased this year for the Indians of the upper Arkansas should be retained on the Missouri river for the present.

Very respectfully, your obedient servant,

J. H. LEAVENWORTH, *U. S. Indian Agent.*

Hon. W. P. DOLE,

Commissioner Indian Affairs, Washington, D. C.

No. 142.

HEADQUARTERS DISTRICT OF THE UPPER ARKANSAS,

In the field, Fort Zarah, Kansas, May 6, 1865.

COLONEL: Brevet Brigadier General James H. Ford, commanding district of the Upper Arkansas, requested me to write to you, informing you that he has received orders from the department headquarters to proceed with all his forces in active hostilities against the Indians, and to *pay no attention to any peace movements* or propositions. For this purpose the general has just

started to Fort Larned, Kansas, and would be exceedingly pleased (if your health will permit) to meet you at that post before he starts out, which will be very soon.

Believe me to be, colonel, very respectfully, your obedient servant,

ROBERT J. ROE, A. A. A. G.

Col. JESSE H. LEAVENWORTH,

General Sup't of the Western Indians.

A true copy:

J. H. LEAVENWORTH, *U. S. Indian Agent.*

No. 143.

COW CREEK RANCH,
115 miles west of Council Grove, May 10, 1865.

SIR: I have the honor to acknowledge the receipt of yours of the 29th ultimo. I was not aware, until the receipt of your letter, that there was the slightest misunderstanding between the commanding officer of this district and myself, and I now think there is some mistake somewhere, and as soon as I can see or communicate with General Ford, will try and have it explained. I have never thought of making any treaty with any Indians or tribe of Indians, nor have I stated or pretended to any one that I was to make any such treaty. I have had but one object in view in the performance of my duties to the government and the Indians of my agency, and that was to get in communication with them, so as to induce them to preserve peace with the whites, and keep away from the Santa Fé road. Whilst our affairs were unsettled with the south I did not wish a war with the Comanche Indians, as I much feared they would join the Texans, and raid upon the commerce of the road. That fear has passed, and no one wishes more than myself for the Indians to know their weakness, and that they cannot longer defy the authority of the United States. In February the Indians of my agency, together with Little Raven's band of Arapahoes, promised that they would not come upon this line of travel, nor would they molest any white man. This promise, I believe, they have faithfully kept. What more could be expected of them? The Kiowas, it is known, behaved badly last summer, and I informed the department I much feared they would have to feel the strong arm of the government before they would conduct themselves properly. They have, however, kept their word as given in February. The Comanches and Little Raven's band of Arapahoes have not, it is believed, committed any depredations as a tribe: such was General Curtis's opinion after his return from his Indian campaign last summer and fall. The Commissioner will please remember that the Indians of my agency roam over a great extent of country, and that they are wild and wayward, and since the Chivington massacre extremely difficult to reach, and that all I have asked of General Dodge or General Ford was time to get the Indians to me, so that I could get the Comanches and Arapahoes (above mentioned) away from the Kiowas, so that the latter might be punished if necessary without making war upon all the southern Indians. I would also inform the department that the commanding officer of this district has, at my request, placed a company of mounted men at this place, and that I have got storage room sufficient for all the goods I have here, and that I believe them now to be as safe as at any point this side of the Missouri river.

General Ford left, as indicated in his letter to me of the 6th instant, but with a small force. I am looking for good news from the Indians of my agency daily; as soon as received I will report.

Very respectfully, your obedient servant,

J. H. LEAVENWORTH, *U. S. Indian Agent.*

Hon. W. P. DOLE,

Commissioner of Indian Affairs, Washington, D. C.

No. 144.

WAR DEPARTMENT,

Washington City, July 6, 1865.

SIR: In compliance with your verbal request of this date, I have the honor to transmit the enclosed copies of telegrams addressed to the President by the honorable J. R. Doolittle, together with copies of the answers made thereto by order of the President, authorizing Mr. Doolittle and his associates to make treaties of peace with hostile Indian tribes.

Your obedient servant,

EDWIN M. STANTON,

Secretary of War.

Hon. JAMES HARLAN, *Secretary of the Interior.*

[Received 5.15 p. m. May 27, 1865]

U. S. MILITARY TELEGRAPH, WAR DEPARTMENT,

Fort Riley, May 27, 1865.

President of the United States:

Authorize us to make peace, if we can, with hostile Indians. Our party consists of Foster, Doolittle, Ross, and Major General McCook.

Telegraph at once to care of commanding officer of the district of Fort Riley; also by Denver to Fort Lyon.

J. R. DOOLITTLE, *U. S. Senator.*

[Telegram.]

WAR DEPARTMENT,

Washington City, May 29, 1865.

Hon. J. R. DOOLITTLE, *U. S. Senator, Fort Riley,*

care of commanding officer of district:

Your despatch of the 27th to the President, asking authority to make peace with the hostile Indians, has been received and considered by the President, who directs me to say that he authorizes your commission to make peace, if you can, with hostile Indians, the treaty to be subject to his approval.

Please acknowledge receipt of this telegram.

By order of the President:

EDWIN M. STANTON, *Secretary of War.*

Send same as above to Hon. J. R. Doolittle, United States senator, care commanding officer, Fort Riley, via Denver City.

[Received 9 p. m., June 14]

U. S. TELEGRAPH, WAR DEPARTMENT,
Fort Lyon, June 11, 1865.His Excellency A. JOHNSON, *President of the United States*:

We have received no answer to our telegram from Lawrence, Kansas. Send this by express; our messenger awaits a reply at Denver. From all we learn we can probably have peace with the Indians on the New Mexico routes without further hostilities south of the Arkansas, if we are authorized to treat with the chiefs. Will you authorize us to do so?

If offensive war is to go on against the Comanches, Kiowos, Cheyennes, and Arapahoes, it will cost probably forty millions, and require near 10,000 troops to make it effectual.

J. R. DOOLITTLE, *Chairman*.
L. F. S. FOSTER.
L. W. ROSS.—
[Telegram.]WAR DEPARTMENT, *Washington, June 15, 1865.*Hon. JAMES S. DOOLITTLE, *U. S. Senator, Fort Lyon, via Denver* :

Your telegram to the President, dated the 11th of this month, reached here last night. In answer to your telegram of the 27th of May, I answered by direction of the President on the 29th of May, addressed to you at Fort Riley, and also at Fort Lyon, and also to the care of the commanding officer of the district, as follows:

"Your despatch of the 27th to the President, asking authority to make peace with the hostile Indians, has been received and considered by the President, who directs me to say that he authorizes your commission to make peace, if you can, with the hostile Indians, the treaty to be subject to his approval.

"Please acknowledge receipt of this telegram."

To your telegram received last night the President directs me to make the same answer, which gives to you and your associates all the authority you ask.

It is the anxious desire of the President and of this department to avoid Indian hostilities, and establish peaceable relations between the government and the Indian tribes you may visit or have intercourse with, and to that end the President empowers you, as special commissioners from him, to make such treaties and arrangements, subject to his approval, as in your judgment may suspend hostilities and establish peace with the Indians and afford security to our citizens, settlements, and travellers, on the frontier.

By order of the President:

EDWIN M. STANTON,
Secretary of War.

Send copy to Denver City for express waiting there.

—
No. 145.COW CREEK RANCH, *August 23, 1865.*

SIR: My last communication to the department was in answer to your letter of the 29th April, I believe. On the 30th May I met the congressional committee at Fort Zarah. On the 31st Major General M. D. Cook suspended

the campaign against the Indians south of the Arkansas river, subject to the approval of Major General Pope; he approved of the order. Senator Doolittle asked and obtained from the President authority to make a treaty of peace with these same Indians. On the 12th June he wrote the letter marked "A," and on the 12th of July Captain J. Smith reported to me at the mouth of the Little Arkansas river, with his letter and the telegrams from the honorable Secretary of War herewith enclosed, marked "B." The result of my hard work for the last ten or eleven months will be found fully explained in the two papers marked "C" and "D." How this result will meet the views of the department is impossible for me to conjecture, but the saving of from one and a half to two millions of dollars a month to the government is something of an object.

Very respectfully, your obedient servant,
J. H. LEAVENWORTH,
United States Indian Agent.

HON. W. P. DOLE,
Comm'r of Indian Affairs, Washington, D. C.

—
A.

BENT'S OLD FORT, June 12, 1865.

DEAR COLONEL: We get no reply from Washington yet; have sent by express a telegram to Denver; messenger will wait for a reply and take it to Major Wynkoop. If authority is given us, (and I expect it will be,) Captain John Smith will at once go to Cow creek. Then all that men can do to pacify this country we must do, and we must succeed; we know it is more just, more honorable, more humane, and vastly more economical to make peace with all the tribes.

If you cannot succeed in inducing the Indians to come to a meeting, write us at Denver, and we shall go directly home by stage; we have fixed the 10th of September as the time of meeting.

I send this letter by Captain John Smith, the interpreter, who will lend us his influence with the Indians, and exert himself to the utmost.

Yours truly,

J. R. DOOLITTLE.

J. H. LEAVENWORTH.

A true copy:

J. H. LEAVENWORTH,
United States Indian Agent.

—
B.

[By telegram from Washington.]

DENVER, June 20, 1865.

SIR: Your telegram to the President, dated the 11th, reached here last night. In answer to your telegram of the 27th of May, I answered by direction of the President on the 29th of May, to you at Fort Riley, also at Fort Lyon, and also to the care of the commanding officer of the district, as follows: "Your despatch of the 27th to the President, asking authority to make peace with the hostile Indians, has been received and considered by the President, who directs me to say he authorizes your commission to make peace, if you can, with the hostile Indians, the treaty to be subjected to his approval. Please acknowledge the receipt of this telegram." To your telegram received last night the President directs me to make

the same answer, which gives to you and your associate all the authority you ask. It is the anxious desire of the President and of this department to avoid Indian hostilities and establish peaceful relations between the government and the Indian tribes you may visit or have intercourse with, and to that end the President empowers you, as a special commissioner from him, to make such treaties and arrangements, subject to his approval, as in your judgment may suspend hostilities and establish peace with the Indians and afford security to our citizens, settlements and travellers on the frontier. By order of the President.

HON. J. R. DOOLITTLE,
U. S. Senator, Fort Lyon.

—
C.

Be it known to all, that we, the chiefs and headmen of the Apache, Comanche and Kiowa tribes of Indians of the Upper Arkansas, and the Arapahoes, south of the Arkansas river, have agreed and do hereby agree with our agent, Colonel J. H. Leavenworth, and Brevet Major General John B. Sanborn, commanding the district of the Upper Arkansas, to cease all acts of violence or injury to the frontier settlements, and to travellers on the Santa Fé road, or other lines of travel, and to remain at peace. We further agree to meet in council on the fourth day of October, 1865, at Bluff creek, about forty miles south of the Little Arkansas, with such commissioners as the President of the United States may appoint, for a perpetual peace between the government of the United States and our various tribes; and we further agree to use all our influence with the Cheyenne Indians now south of the Arkansas river, to induce them to join us in this perpetual peace, and if they do not we will compel them to cease all acts of violence towards the citizens of the United States or runners from our country.

In witness whereof, we have hereunto set our hands and affixed our marks on the 15th day of August, 1865, at the mouth of the Little Arkansas, in council with the officers of the government above named.

In consideration of the above agreement and undertaking, made by the chiefs and headmen of the tribes above mentioned, I agree, on the part of the government, to suspend all acts of hostility towards the various tribes above mentioned, so long as they observe in good faith the stipulations and agreements on their part as herein above set forth.

To-han-sen, his x mark, or Little Mountain, chief of Kiowas.

Quiel Park, his x mark, or Lone Wolf, chief of Kiowas.

Parry-wah-soit, his x mark, or Heap of Bears, chief of Kiowas.

Sa-tan-to, his x mark, or White Bear, chief of Kiowas.

Ton-a-en-co, his x mark, or Kicking Eagle, chief of Kiowas.

Parry-wah-can-na-vitcha, his x mark, or Poor Bear, chief of Apaches.

Ho-to-yo-kah-wot, his x mark, or Over the Buttes, chief of Comanches.

Palldy-wah-seyon, his x mark, or Three Bears, chief of Comanches.

Quen-ah-e-voh, his x mark, or Eagle Drinking, chief of Comanches.

Ta-ha-yer-quaip, his x mark, or Horse's Back, chief of Comanches.

Bo-yah-wah-to-yeh-be, his x mark, or Iron Mountain, chief of Comanches.

To-kah-hah, his x mark, or Wittata, chief of Comanches.

Po-cha-nor-quaw, his x mark, or Buffalo Rump, chief of Comanches.

Park-ka-yoh, his x mark, or Raw Hide Blanket, chief of Comanches.
 Setter-ka-yoh, his x mark, or Bear-run-over-a-man, chief of Kiowas.
 Pah-up-pah-top, his x mark, or Big Mouth, chief of Arapahoes.

JOHN B. SANBORN,
Brevet Maj. Gen. Com'dg Dist. Upper Arkansas.
 J. H. LEAVENWORTH,
United States Indian Agent.

In presence of—

JESSE CHISHOLM, *Interpreter.*
 WILLIAM F. KITTEREDGE, *A. A. G.*

—

D.

We, the undersigned, chiefs and headmen of the bands of Arapahoe and Cheyenne Indians, now south of the Arkansas river, having been forced, in self-protection, to fight the United States troops under the command of Colonel J. M. Chivington, at Sand creek, Colorado Territory, and having, through the interposition of a kind Providence, escaped our intended massacre, and having heard from our friend, Colonel J. H. Leavenworth, through his runners and agents, that we could in safety visit him at the mouth of the Little Arkansas river, have come to him to ask that he will use his influence to restore kindness between our bands, and if possible between our whole tribes and the government of the United States; and we do agree with him and our Great Father, the President of the United States, that we will abstain from all acts of violence or injury to the citizens of the United States, to the frontier settlements, and to travellers on the Santa Fé road, or other lines of travel, and that we will remain at peace. And we do further agree to meet in council on the 4th day of October, 1865, at Bluff creek, about fifty miles south from the mouth of the Little Arkansas river, or at such other time and place as the President of the United States may appoint, for a perpetual peace, and to settle such questions as may arise between our bands, or whole tribes, and the government of the United States.

In witness whereof, we have hercuuto set our hands and affixed our marks this 18th day of August, 1865, at the mouth of the Little Arkansas river, in the State of Kansas.

J. H. LEAVENWORTH, *U. S. Indian Agent.*

Mevin, his x mark, or Little Raven, chief of the Arapahoes.
 O-ha-mah-bah, his x mark, or Storm, chief of the Arapahoes.
 Ah-cra-kah-taw-nah, his x mark, or Spotted Wolf, chief of the Arapahoes.
 Ah-nah-mat-tan, his x mark, or the Black Man, chief of Cheyennes.
 Make-ta-vah-to, his x mark, or Black Kettle, chief of Cheyennes.
 Hark-kah-ome, his x mark, or Little Robe, chief of Cheyennes.
 Moke-tah-vo-ve-ho, his x mark, the Black White Man, chief of Cheyennes.
 Oh-to-ah-neso-te-wheo, his x mark, the Seven Bulls, chief of Cheyennes.

Witness :

JESSE CHISHOLM, *Comanche Interpreter.*
 JOHN S. SMITH, *Cheyenne Interpreter.*

No. 146.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., August 25, 1865.

SIR: I transmit herewith a copy of a telegram received from Major General Pope, relative to a conference had by General Sanborn with the Comanche, Kiowa, Arapahoe, and Apache Indians.

I am, sir, very respectfully, your obedient servant,
JAMES HARLAN, *Secretary.*

ACTING COMMISSIONER INDIAN AFFAIRS.

[Telegram.]

St. Louis, August 21, 1865.

General Sanborn reports that on the 15th instant he met the chiefs and headmen of the Comanches, Kiowas, Arapahoes, and Apaches, at the mouth of the Little Arkansas river, and entered into a written agreement with them for a total cessation of hostilities, and for a meeting to conclude a treaty of perpetual peace, to be held October 4, at Bluff creek, forty miles below the mouth of Little Arkansas. He gives his opinion that this is the end of hostilities south of the Arkansas river. In conformity with the above arrangement, I suggest the immediate appointment of commissioners to meet the Indians at the time and place specified.

The nearest point is Fort Larned, where the necessary provisions can be had on the order of the Secretary of War. I cannot too strongly express the opinion that Kit Carson and Bent are almost indispensable on the commission.

I also again ask your attention to the impolicy of giving money annuities to Indians by any treaty.

Appointments of commissioners should be made in time to enable Bell* to meet the Indians at the time and place named. Any failure to do this will greatly impair the confidence of the Indians in our good faith.

Fort Leavenworth would be the point for the commissioners to meet, and be supplied with transportation, &c.

Please acknowledge receipt.

JOHN POPE, *Major General.*Hon. J. HARLAN, *Secretary of the Interior.*

No. 147.

WASHINGTON, D. C., *September 19, 1865.*

SIR: On the 6th May last I enclosed a copy of a letter that day received from the commanding officer of the district of the upper Arkansas, and reported to the department all of my doings to that date. On the 30th May I received a note from the congressional committee to meet them at Fort Zarah, which I did on the morning of the 31st; remained in consultation with them that and the next day. On the 31st Major General McCook, on General Pope's staff, issued an order suspending the campaign against the

* Probably an error of the telegraph office, and should be "Bent."

hostile Indians of the upper Arkansas, subject to the approval of Major General Pope, "for peace and to locate these Indians south of the Arkansas and east of Fort Bascom."

General Pope approved of General McCook's order, and the good results of the same are fully set forth in the papers sent to your office by me on the 23d of last month, being preliminary notes of peace with the five tribes of Apaches, Arapahoes, Comanches, Cheyennes, and Kiowas, of the upper Arkansas.

From the above report you find that I have not only met, and prevailed upon to desist from *all acts* of violence, the Indians of my agency, but a large proportion of the Cheyennes and Arapahoes who escaped from the massacre of Sand creek. These last came to me exceedingly poor, having lost everything in that attack on them by Colonel Chivington; not only their horses, mules, and lodges, but all the tools they possessed; and were left almost helpless in the dead of winter. Their condition requires the most urgent attention of the department. I supplied the wants of these Indians, consisting of Black Kettle's band of Cheyennes and Little Raven's band of Arapahoes, as far as it was in my power, from the goods of the Comanche, Kiowa, and Apaches, of the upper Arkansas, keeping a full account of the same, which I trust will meet with the approbation of the department.

If these Indians have no agent fully competent to act for them, and should the department think it proper to add them to my agency, I will most cheerfully do the best I can for them.

Very respectfully, I am, sir, your obedient servant,

J. H. LEAVENWORTH,

United States Indian Agent, Upper Arkansas.

HON. R. B. VAN VALKENBURGH,

Acting Commissioner Indian Affairs, Washington, D. C.

NORTHERN SUPERINTENDENCY.

No. 148.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Omaha, Nebraska Territory, September 15, 1865.

SIR: I have the honor to transmit herewith my first annual report, pursuant to regulations of the department. I have anticipated the stated period for making it, as my duties, connected with the commission recently appointed by the President to treat with the Indian tribes of the Upper Missouri, will necessarily compel me to be absent from this date for a period of not less than sixty days.

Very respectfully, your obedient servant,

E. B. TAYLOR, *Superintendent.*

HON. R. B. VAN VALKENBURGH,

Acting Commissioner Indian Affairs, Washington, D. C.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Omaha, Nebraska Territory, September 15, 1865.

SIR: In compliance with the requisitions of the department, I have the honor to submit my first annual report, together with the accompanying reports of agents and employés. These, I trust, will present a satisfactory

exhibit of the present condition of the various tribes embraced within the northern superintendency.

The brief period which has intervened between the date of my appointment and the time designated for the rendition of this report has necessarily rendered it exceedingly difficult to collect and embody all the information which it is desirable should be presented in such a paper.

Few tribes of Indians are embraced within this superintendency at the present time. The aggregate population of the tribes, according to the most reliable data at my command, is 17,182, as follows :

Sioux, (Brulé and Ogallala,) Upper Platte agency.....	7, 865
Arapahoes, Upper Platte agency.....	1, 800
Cheyennes, Upper Platte agency	720
Pawnees, Pawnee agency.....	2, 800
Winnebagoes, Winnebago agency.....	1, 900
Omahas, Omaha agency.....	1, 000
Sacs and Foxes, (of Missouri,) Great Nemaha agency	95
Iowas, of Missouri, Great Nemaha agency	294
Ottoes and Missouriias, Ottoe and Missouriia agency.....	708
Total number.....	<u>17, 182</u>

These tribes are embraced within six agencies. I subjoin a list of the agencies, with the names of the agents and their post office address:

Upper Platte agency, Vital Jarrot agent, Fort Laramie, Dakota Territory.

Pawnee agency, Daniel H. Wheeler agent, Genoa, Nebraska Territory.

Winnebago agency, St. A. D. Balcombe agent, Omadi, Nebraska Territory.

Omaha agency, Robert W. Furnas agent, Omaha agency, Nebraska Territory.

Great Nemaha agency, John A. Burbank agent, Mohart, Nebraska Territory.

Ottoe and Missouriia agency, William Daily agent, Dennison, Nebraska Territory.

UPPER PLATTE AGENCY.

The Indians embraced within this agency consist of the Brulé and Ogallala Sioux, the Arapahoes, and the Cheyennes. They numbered in the aggregate, in 1862, (since which time no reliable census has been taken,) 10,382 souls.

They have at no time within the past ten years, I believe, been confined to any particular reservation or locality, but have been permitted to roam at will over a vast district of country, subsisting chiefly by the hunt.

These Indians have inhabited the country adjacent to the headwaters of the Platte river, and contiguous to the great overland route between the Missouri river and the Pacific coast. Frequent outrages were perpetrated by them upon emigrants, stage passengers, and telegraph operators during the latter part of 1863, but it was hoped that these were the work of irresponsible bands, maddened by liquor, not unfrequently sold to them by outside traders, and that the tribes would eventually disavow and punish these outlaws, and maintain their former relations of amity and good will towards the government and the people. But this hope has proved groundless. Emboldened by exemption from the swift and certain punishment which should always follow such acts of wanton cruelty and lawlessness, and believing, no doubt, that the general government, by reason of the continuance of a great

and formidable rebellion, would be unable to chastise them for their crimes, these outrages rapidly multiplied, and finally culminated in open war. The atrocities perpetrated by these tribes embraced within the Upper Platte agency, upon the lives and property of unoffending and defenceless emigrants within the past eighteen months, will perhaps never be fully known or appreciated. That they have been very numerous and shockingly revolting in their details, there can be no doubt. Men, women, and children have alike fallen victims to their cruelty. Wagon trains and ranches have been burnt, stage stations and telegraph offices have been robbed and destroyed, and private dwellings have been laid waste for hundreds of miles on all the various lines of travel between the Missouri river and the various States and Territories of the Pacific coast and Rocky mountain range.

The overland stage line and the Pacific telegraph have enjoyed no exemption from their outrages, and during a large proportion of the time named it has been almost impossible either to run the one or operate the other.

How long this deplorable state of things is to continue, of course it is impossible to foresee. Large bodies of troops have been despatched to the scene of disaster, under the command of officers of acknowledged ability and experience, but thus far the Indians have successfully eluded their pursuers, concealing themselves in cañons by day, and perpetrating fresh atrocities by night. In my judgment they will never be adequately punished for these wrongs until the authorities at Washington inaugurate a winter campaign against them, and pursue them with an adequate force to their villages and lodges, in which they are compelled to remain by the rigors of the climate. Such a campaign will give us peace upon the plains. Any other policy will, I fear, protract, if it does not augment existing troubles.

Scarcely less extensive and atrocious have been the depredations committed against life and property by the various confederated hostile bands known as the Upper Missouri Indians. Steamboats have been fired into, settlers have been massacred, emigrants to Montana and northern Idaho have been murdered, and the sparse settlements bordering on the Indian country of that region have been entirely broken up. It is a source of the highest gratification to be able to state that there are well-grounded reasons for the belief that the Upper Missouri Indians have become tired of war, and are now anxious for peace. The commission recently appointed by the government to treat with these tribes will soon test the sincerity of their expressions of good will and friendship. Should friendly relations be established with the various tribes of the Upper Missouri, there can be little doubt that the settlement will have a powerful and favorable influence upon the Indians embraced within the Upper Platte agency, who have been for several years upon terms of the most intimate friendship with the more northern tribes.

As a question of national concern the suppression of the Indian war upon the plains is of the first importance. Not less than one hundred thousand emigrants annually pass over the great overland route, between the Missouri river and the Pacific coast. They are confined to no particular locality, but come from all the States alike, Maine as well as Iowa, and the savage arm that strikes down the interests of California, Oregon, and Colorado, by interrupting the peaceful flow of travel and commerce between the Atlantic and the Pacific, inflicts a blow equally fatal upon the material interests of New England and all the intermediate States.

The overland mail, bearing its messages of business and affection to the people of the east and the west, passes over this route, and claims alike the protection of all the States. The Pacific telegraph traverses this great route from the Missouri river to San Francisco; New York, Philadelphia, Boston, Baltimore, Cincinnati, Chicago, and St. Louis employ its wires as auxiliary

to their already large and rapidly increasing commerce with the one million of people who already inhabit the States and Territories west of the Missouri river.

Financially considered, the suppression of these Indian outbreaks is a matter of grave importance to the government. The precious metals, our sole reliance to liquidate the accruing interest upon the national debt, are derived chiefly from the mining districts of Colorado, Oregon, California, Nevada, Idaho, and Montana, and any barrier which obstructs emigration to these mines, and retards their development, must prove highly prejudicial to the financial prosperity of the country.

It is earnestly hoped, therefore, that adequate means may be provided by Congress, at the approaching session, to afford the protection to this vast travel and commerce which the interests of the people of the whole Union so imperiously demand.

The Winnebagoes.—I cannot too strongly recommend this unfortunate and much abused tribe to the fostering care and protection of the department. Hurried from their comfortable homes in Minnesota in 1863, and located at the Crow Creek agency, where it is impossible, one year in six, to raise a crop, either of corn, wheat, or potatoes, they have suffered more than any other tribe in the country. They are now subsisted by government on the Omaha reservation, in Nebraska, whither they have all sought refuge to escape starvation, and under the most favorable auspices they must continue a charge upon the government, to a greater or less extent, for nearly two years to come.

They have contracted to purchase about one-third of the Omaha reservation, at a price making about thirty-nine cents per acre. If this agreement be ratified by the Senate the coming winter they will become possessed of lands ample in extent for all the purposes of the tribe, abounding in wood and water, and for agricultural purposes equal to the best farming lands in Nebraska. As an evidence of the fertility of this reservation, it is only necessary to mention the fact that the Omahas have for years past, with scarcely an exception, raised a large surplus of corn, which they have sold to the less favored and perhaps more improvident tribes north of them.

Properly fitted up, this reservation will render these Indians self-supporting. They are industrious, frugal, and provident to an extent unequalled by any other tribe within this superintendency, and it is earnestly hoped that the means may be placed in their hands necessary to enable them to supply their own wants by the labor of their hands. For a more detailed statement in reference to this tribe, and the new reservation which they have purchased, I respectfully refer the department to the special report from this office in reference to the Winnebagoes, dated August 23, 1865, and to the annual report of Agent Balcombe, herewith transmitted.

Other tribes.—The other tribes within this superintendency are all located upon established reservations; and it affords me great pleasure to be able to assure the department that they are in a flourishing condition, increasing in material wealth and advancing in civilization.

Full and satisfactory reports from each of these agencies have been received at this office and transmitted to the department.

These reports will afford all desired information relative to the general condition and management of the various tribes of which no special mention has been made in this paper.

Very respectfully, your obedient servant,

EDWARD B. TAYLOR, *Superintendent.*

HON. R. B. VAN VALKENBURGH,

Acting Commissioner Indian Affairs, Washington, D. C.

No. 149.

*Omaha agency—Special report.*OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Omaha, Nebraska, August 24, 1865.

SIR: In accordance with the instructions contained in your letter of 27th June ultimo, directing me to visit the different agencies within this superintendency, and acquaint myself with the condition of the Indians under my charge, I have the honor to report that I visited the Omaha agency (eighty miles north of this city) on the 16th instant, and immediately proceeded to inquire into the general management of the agency, which is now, and has been for the past one and a half year, under the charge of Agent Robert W. Furnas.

Agency buildings, crops, &c.—The agency buildings are in good repair; the growing crops of corn and garden vegetables give promise of an abundant yield; the mission school, under the supervision of Rev. R. J. Burt, is in a most flourishing condition, as will appear from an examination of the annual report of the superintendent or missionary, herewith forwarded; and the condition of the tribe generally is highly satisfactory.

Census—The last census, taken in December, 1864, showed the number of souls in the tribe to be just 1,000, which number is probably about the present strength of the Omahas.

The farm.—There are 945 acres of land under cultivation the present season, of which 889 acres are in corn, 15 acres in potatoes, 10 acres in beans, 5 acres in sorghum, 4 acres in beets, 10 acres in turnips, 2 acres in carrots, and 10 acres in pumpkins, squashes, and melons. All of this land is cultivated by the Indians except about 50 acres, which are cultivated for the use of the farm stock.

Employés.—There are no regular employés now on this reservation, such positions having expired by treaty stipulations on the 30th June, 1865.

The school.—There are four teachers employed in the mission school, and forty-three scholars in attendance.

Dimensions of the reserve.—The original dimensions of the reserve were eighteen by thirty miles. A strip off the north part, fronting four miles on the Missouri river, and running back by parallel lines ten miles, and from thence to the western boundary eight miles in width by twenty in length, has been sold to the Winnebagoes. This would leave the present dimensions of the Omaha reservation fourteen by ten miles on the river, and ten by twenty miles on the west. The character of the land for farming purposes is good, as is evidenced by the fact that the Omahas rarely fail to raise a surplus of corn.

Timber and water.—The reserve is abundantly supplied with timber and water. The timber is chiefly hard wood.

Grist and saw mill.—The grist and saw mill is not now running. It is in fair order, but needs some slight repairs, which could be made at a small cost, and add much to its efficiency. Its capacity is abundant for all the uses of the tribe.

Complaints.—The Omahas complain that they have not received the \$25,000 provided for in the third article of the existing treaty; that the mill and blacksmith shop have not been in operation for ten years, as provided in article eight of existing treaty; and that they are not, and have not been, protected, as provided by treaty stipulations, against the raids of hostile Sioux, who annually depredate by killing their people and stealing their stock. Agent Furnas, who is familiar with all the facts, expresses the opinion that these complaints are well founded, and recommends that they be con-

sidered and determined at the earliest practicable period, to the end that this tribe, who have been uniformly friendly and peaceful in their relations to the government and the people, shall have no just cause to change those amicable relations, or to charge the government with bad faith towards them.

I take great pleasure in commending the general management of this agency; and it affords me the highest satisfaction to be able to assure the department that the Omahas are in all respects well provided for, and as comfortable as is consistent with the degree of civilization which they have attained.

Very respectfully, your obedient servant,

E. B. TAYLOR, *Superintendent.*

Hon. R. B. VAN VALKENBURGH,

Acting Commissioner of Indian Affairs.

No. 150.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, September 5, 1865.

SIR: Your report, dated August 24, of the result of your examination of affairs at the Omaha agency, is received, and the generally favorable condition of the Indians remarked with pleasure.

Your statement that "there are no regular employes now on the reservation," on account of the expiration of the treaty stipulations on the 30th June, 1865, is noticed, in connexion with the complaints referred to by you as made by the Omahas, that the mill and blacksmith shop have not been in operation ten years, as provided for in the treaty. An examination of the books of this office shows that there is still a considerable unexpended balance to the credit of the Omahas for these purposes, and you will therefore direct Agent Furnas, if he shall deem it expedient and necessary, to cause the necessary repairs to be made to the mill, and to continue the employes until further orders. He will forward immediately his estimates for the purposes mentioned for the third and fourth quarters of 1865. In relation to the complaint of the Omahas that they have not received the unpaid balance of \$25,000 referred to in the third article of their treaty, the books of this office show that the whole of that money has been drawn and expended for their benefit.

The report of the Rev. Mr. Burt, missionary in charge of the school, does not furnish any information in regard to the progress of the pupils, or any single item by which it can be ascertained whether the children of the Omahas derive any benefit therefrom. It is hoped that the annual report of the school will not fail in these respects. The mere recital of names of teachers and number of scholars is of no practical value. In relation to the claims of the Omahas for depredations upon their stock by the Sioux Indians, you will direct Agent Furnas to prepare and forward a special report upon the subject, which, if in the judgment of the department such course shall be deemed proper, will be laid before Congress, in order that just recompense may be made for the losses of this loyal and peaceably disposed tribe.

Very respectfully, your obedient servant,

R. B. VAN VALKENBURGH,

Acting Commissioner.

E. B. TAYLOR, Esq.,

Sup't of Indian Affairs, Omaha City, Nebraska Territory.

No. 151.

OMAHA INDIAN AGENCY, *August 15, 1865.*

SIR: I have the honor to submit the following as the annual report for the Omaha Indian agency:

The general condition of the tribe is about the same as at date of my last report. Last year I succeeded, notwithstanding the adverse features of the season, in raising them a good crop—more than they actually needed for themselves. They were, however, cut short; in fact, the supplies of most of them were exhausted before spring, in consequence of the lavished “friendly visits” from other tribes, who had been unsuccessful in producing crops. This is an evil—a growing one, too—which ought to be remedied, but which, thus far, it has been impossible to obviate. It can only be done by order from the department prohibiting tribes thus foraging upon each other, together with a hearty co-operation of all agents.

This season, at present writing, there was never a more flattering prospect of a magnificent crop, particularly of corn, potatoes, and hay. I have given the department under my charge my personal attention this year, and have made particular efforts to get under cultivation an increased number of acres, to get the seed in the ground in good season and good order, and to see that it was well cultivated and taken care of. The result is most gratifying. I have under cultivation for the Omahas 945 acres, in corn, potatoes, beans, sorghum, beets, turnips, carrots, pumpkins, squashes, and melons—principally corn. This season we have had abundance of rain—too much for small grain—and the crops all give good promise. The grasshoppers made their appearance early, and it was thought would destroy our crops, but injured them very little. Last year we were short of hay on account of extensive drought. This season the grass is fine—never better—and an unusual quantity of hay will be put up. Last season I introduced the practice of cutting the corn for fodder for winter use, with partial success. This year I have reason to believe most of the corn will be cut up, which will subsist their horses and cattle well. Owing to the high price of seed potatoes, four dollars per bushel, in the spring, there was not so many planted as usual; say fifteen acres. The poor success with wheat heretofore caused none to be sown this season.

In the following statistics for this year much is necessarily arrived at by estimate; yet I have endeavored to keep below what is most likely to be the actual figures, rather than exceed:

	Acres planted.	Bushels.	Value.
Corn.....	889	22, 225	\$33, 337
Potatoes	15	750	1, 125
Beans	10	250	375
Sorghum.....	5	500 galls.	500
Beets	4	800	200
Turnips	10	1, 000	250
Carrots	2	200	100
Pumpkins, squashes, and melons	10		200
	<u>945</u>		<u>36, 087</u>

In regard to the mission school, I have only to say, it is yet under the charge of Rev. R. J. Burtt, as superintendent, assisted by Mrs. Burtt, Mr. Isaac Black, and wife, and Miss Mills—four teachers and forty-five scholars. The institution is not accomplishing what it ought, for some reason. Last

year the board of missions expended \$4,476 23, and the Omahas, as a tribe, contributed \$3,750; making a total of \$8,226 23. This, it seems to me, is too large a sum to be expended annually on 43 children. The subject of education among the Indians is an all-important one, and it is, perhaps, out of place to introduce its discussion in the annual report. I therefore refer for particulars of this school to the report of Superintendent Burt, a copy of which herewith accompanies, and is made a part of this report.

The exact wealth and population is difficult to arrive at except by actual count. At last payment the number of souls given in were—

Adult males	288	
“ females	318	
Total adults		606
Children, males	196	
“ females	200	
Total children		396
Total population		1, 002

The census for several years past shows the Omahas to be slightly on the increase; at last report the number of souls was 971—increase, 31.

The following is, as near as may be, the number of stock and value. I value horses at \$50 per head; cattle at \$20; hogs at \$5.

	No.	Value.
Horses	1, 225	\$61, 250
Cattle	200	4, 000
Hogs	25	125
		<u>65,375</u>

I am satisfied they have more horses than are here given in, and the estimated value, you must agree, is low, when informed that they have many horses really worth from \$150 to \$200.

The 8th article of existing treaty between the Omahas and the United States, confirmed April 17, 1854, *reckoning from date of treaty*, expired with the fiscal year 1865. This article provides that the “United States agree to erect for the Omahas, at their new home, a grist and saw mill, and keep the same in repair, and provide a miller for ten years; also to erect a good blacksmith shop, supply the same with tools, and keep in repair for ten years, and provide a good blacksmith for a like period; and to employ an experienced farmer for the term of ten years, to instruct the Indians in agriculture.” The Indians claim that none of the provisions were in operation before one or two years’ time had expired. They particularly claim that the mill, the most useful to them, has run only about 5½ years out of the ten. In this claim they are supported by the testimony of the missionary attachés, who have been with them nearly the whole time. I have heretofore made a special statement of this matter, and hope it will receive the careful consideration of the department.

The 7th article of the present treaty also provides that the government will “protect them from the Sioux and all other hostile tribes.” There has never been a season, I am informed, since the Omahas have been on the present reservation, that “Sioux or other hostile tribes of Indians” have not made raids upon them, killed their people, and stolen their horses. Last

year 11 Indians were killed by the Sioux. This year 40 horses have been stolen. The Omahas have complained more of this than all other grievances combined; have expressed a waning confidence in the government, and never fail to bring it up as an excuse on their part, when charged with failing to comply with treaty stipulations. This mill, shop, and farm matters now furnish them additional and increased food for complaint.

I hope I may not be considered as digressing or impertinent when I remind you that nothing is more important in the successful management of Indians, either with agents or the general government, than strict compliance with promises. The Indian language or character knows nothing of "adjectives," "ifs" or "ands;" all with them is "yes" or "no," the "truth" or a "lie." The Indian race being the natural enemy of the white man, they are prone to find fault with him; therefore the necessity for strict observance of promises, either of rewards or punishments. I am quite well convinced that unless some attention is paid to the grievances here referred to, or some satisfactory reason *given to them* why the stipulations have not been complied with, the Omahas will hereafter prove restive and difficult to manage.

With a mill running another season I could have the Omahas all in neat and comfortable houses, instead of mud and bark huts. They now have 44 houses made of sawed hard timber, 6 by 12, which makes equally as neat a house as frame, and far more comfortable and useful. As a means of defence, they would serve as a little fort for each family. There are 25 common round log houses and 15 mud huts.

Notwithstanding extraordinary efforts and advice on my part, the Omahas persisted in again going on the annual summer buffalo hunt. I hope, for many reasons, to be able to prevail on the greater portion of them to remain at home another season, and give more attention to their crops. The injury to their crops when left entirely alone, and the almost entire failure on the hunt, as well last season as this, will be a strong argument with them. Theory goes but little way with an Indian; demonstrative evidence alone accomplishes.

The Omahas are well pleased with the provisions of the new treaty entered into at Washington last winter, but not yet confirmed. They are exceedingly anxious to have it confirmed, that its provisions may at once be put into operation.

The Winnebagoes, or at least a greater portion of them, are yet upon the Omaha reservation, where they have crops under cultivation. Fearing, in the spring, that their agent would not reach here in time to get crops in on that portion of the land purchased for them of the Omahas, I had broken up for them between 200 and 300 acres, at and near where they cultivated last year, and furnished them with hoes and seed. Their crops look well, and bid fair to return them a fine yield. A special report of this matter, I am pleased to know, meets the approval of the department. * * *

Hoping, sir, that my official acts will meet the approbation of both yourself and the department,

I am, very respectfully, your obedient servant,

R. W. FURNAS,
United States Indian Agent.

Colonel E. B. TAYLOR,
Superintendent Indian Affairs, Omaha, Nebraska.

No 152.

Omaha mission school—Report for 1864-'65.

HONORED AND RESPECTED SIR : Having received your note requesting answers to the following questions concerning the mission school under our care at the earliest convenience, I hasten to comply, and which report I sincerely hope may prove satisfactory to you and the Indian department :

1. Number of schools ?

There is but this one, which, so far as is practicable, partakes of the nature of a manual labor school, wherein our boys are instructed in the rudiments of farming, and our girls in those of good housewifery.

2. Location and denomination ?

This institution is located in the upper half of the reserve, near to the Missouri river, and about four miles above the North Blackbird creek. The school-building, containing ample room for our complement of pupils and instructors, is built of a hard, micaceous sandstone, found in the bluffs surrounding it, and is four and a half stories high, surmounted by a cupola containing a bell. The building is said, by those passing up and down the river, to present quite an imposing appearance; and may I not add, that it would do you good to see how the children enjoy the many flowers with which the front yard is adorned. The school is generally known by the name of "the Omaha mission school."

3. Number of scholars ?

Of these, there have been of boys twenty-three, and of girls twenty-one, making a total of forty-four—not quite our complement. The chiefs have promised to make up the deficiency in numbers as soon as they return from the hunt. Those sent in place of our soldier boys, in the United States army, are mostly quite small. If I am not too late, before the projected treaty with this tribe is ratified, may I not inquire if some clause cannot be inserted which will compel the chiefs to see that the school be kept up to its complement? We are willing, as in some years past, to receive a few more than our quota. It is our desire to see the children of this people educated and Christianized.

4. Number of teachers ?

Including those having charge of the scholars out of school-hours, there are four, two gentlemen and two ladies. Besides these, in the mission family, are the missionary, his wife and her assistants in the house. Mr. and Mrs. Isaac Black, of Pennsylvania, still discharge faithfully the duties of the school. In the place of Mr. C. Robb, farmer, who was drafted into the United States service from Pennsylvania, we have now Mr. S. O. Lee, formerly connected with one of our Indian missions in west Arkansas. At the close of her three years of service Miss N. Diamant left us, and her duties are now performed by Miss J. Milla, formerly of Tallahassee, Missouri, Creek nation. These are the principal changes in our family during the year.

5. Under charge of what denomination ?

We still continue under the charge of the Presbyterian Board of Foreign Missions, whose centre of business is located at No. 23, Centre street, New York.

6. Amount contributed by donation ?

To this I cannot answer fully, not having the means of knowing as yet, but I am safe in saying that it has been not less but greater than the year previous.

The much-increased price of everything, and the partial failure of our crops through the drought of last season, added much to our expenses, although we practiced close economy, purchasing only necessary articles and hiring no more help than was really wanted.

7. Amount contributed by Indians?

This, I suppose, means what is the annual appropriation set apart by treaty for school purposes? The usual amount has been three thousand seven hundred and fifty dollars. I do not suppose that it has been less this year.

8. Number of missionaries?

Not including teachers, &c., whom we call assistant missionaries, there is but the one writing this report, and upon him devolves the general superintendence of the school, family, and the proper missionary work among the people themselves. The present missionary belongs to the Presbyterian church, and has been under the charge of its Board of Foreign Missions nearly eleven years, among the Choctaws and this tribe.

Having answered the questions proposed, and my sheet not being quite full, with your permission I would add a remark or two before closing.

1. By reason of the presence of so many Winnebagoes upon this reserve, and in such close proximity to the Omaha villages, our Omahas have been more unsettled than in years past, and have seriously interfered with the labor of the missionary among them. A constant and mutual jealousy exists among, or rather between, them. This, I think, will all disappear when the Winnebagoes are removed to their homes, and possess a school and mission of their own.

2. I must admit that I am in favor of confining our treaty Indians to their reserves, restraining them from their annual hunts, and causing them to rely more upon the culture of the soil for their support. I am of the opinion that could our smaller tribes be made to feel that they were and really are protected from the war and predatory parties of the Sioux, they would settle more upon little farms of their own, and desert their villages.

I would like to say more, but I may encroach upon what is not directly the object of this report, and therefore forbear. With the sincere hope and prayer that the day may not be far distant when our Omahas may be found taking responsible positions as farmers and the most honorable of Christians,

I remain yours, truly,

R. J. BURTT, *Missionary.*

Colonel R. W. FURNAS,
U. S. Indian Agent, Omaha Agency.

No. 153.

Winnebago agency—Special report.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Omaha, Nebraska, August 23, 1865.

SIR: In obedience to instructions contained in your letter of June 27, 1865, I visited the Omaha reservation, eighty miles north of this city, (upon which the Winnebago Indians are temporarily residing,) for the purpose of making myself thoroughly acquainted with their condition, ascertaining their desires, and determining their actual necessities.

I arrived at the reservation on Wednesday, August 16, and on Thursday, the 17th, summoned a general council of their chiefs and headmen. On the

afternoon of the day last named a council was convened at the office of Agent Furnas, of the Omahas, at which were Agent St. A. D. Balcombe, of the Winnebagoes, all of the chiefs then upon the Omaha reservation, and the regular interpreter for the tribe. Various questions were propounded to them respecting their purchase of a portion of the Omaha reservation, the improvement of their new houses, (in the event that the Senate of the United States should ratify their treaty with the Omahas, and thus confirm and legalize their purchase,) whether or not they were satisfied with the dealings of Agent Balcombe towards them; whether Agent Furnas, of the Omahas, who had furnished them with subsistence for the past year, had supplied them with good and wholesome food, and in such quantities as were required by the necessities of their people; and in conclusion assured them that it was the purpose of the government of the United States, acting through the constituted authorities at Washington, to carefully observe all treaty stipulations with them, and see to it that they were properly subsisted and cared for, until the necessary steps could be taken to improve their lands, erect mills and dwellings and school-houses for them, provide them with the necessary farming implements and animals, and thus enable them to sustain themselves. These assurances were received by all present with evident satisfaction, and the interpreter was directed to request that the council be adjourned until the following morning, in order to afford them sufficient time and opportunity to consider and properly answer what they were pleased to term "the important questions" submitted to them. The council was accordingly adjourned until Friday morning at nine o'clock. Previous to returning to their lodges, the chiefs suggested that it had long been the custom to receive from a newly appointed superintendent, on the occasion of his first official visit to the tribe, a beef and some tobacco, as a testimonial of his regard and friendship. In response to this suggestion, I directed Agent Furnas to supply them with a beef, and the usual complement of tobacco, and requested that they should assemble promptly on the following morning at the hour above named.

At nine o'clock, on Friday morning, the council reassembled—present the same parties as on yesterday. It appears that the chief "Young Prophet" had been selected by his fellows to speak for and in behalf of the tribe. He opened the conference by stating that the Winnebagoes were satisfied with their purchase of a portion of the Omaha reserve; that they earnestly desired that the treaty of purchase should be ratified, and that their new reservation should be fitted up at the earliest practicable period, by the erection of a flouring and saw mill, a mission house, agency buildings, dwellings for the members of the tribe, the breaking of sufficient ground for farming purposes, and the purchase of a suitable quantity of farming implements, and the requisite number of domestic animals, horses, ponies, and oxen. To this statement all the chiefs assented. He stated, moreover, that he had been instructed by all the members of the tribe, as well as the chiefs, to say that Agent Balcombe was an unfaithful officer; that he seemed to care nothing about the welfare of the Winnebagoes, and was only intent on making money for himself at the expense of the tribe, and to request that an honest, faithful agent should be appointed in his place, who would look after their interests, and prevent them from suffering. This announcement was responded to by all those present in the most hearty manner, and similar statements were made, in the progress of the council, by several of the chiefs and braves, who made many specific charges of bad faith and dishonest practices against Agent Balcombe.

Without undertaking to decide as to the justice or injustice of these allegations and charges I must be permitted to say that, in my judgment, so decided and universal an opinion of dissatisfaction as was here made against

Agent Balcombe demonstrates that the Winnebagoes would succeed better as a tribe under the agency of some man in whom they have more confidence, and in whose integrity they have implicit faith.

In justice to Agent Balcombe I will state that, as he was present during the entire conference, he answered many of the charges and explained some of them to my entire satisfaction; but as the dissatisfaction referred to seemed to be *universal* and deep-seated among the tribe, my own judgment was and is that a change is imperiously demanded in view of the future prosperity of these much-abused and unfortunate people, and I therefore recommend it.

Pursuant to the provisions of an act of Congress, approved February 21, 1863, the Winnebago Indians were removed from the State of Minnesota by late Superintendent Clark W. Thompson, and established at Crow Creek agency, in Dakota Territory, during the summer of that year. Failing to raise anything upon which to subsist themselves, and becoming satisfied that their new agency reservation was in a region of country where the land is generally barren and unproductive, these Indians, during the winter of 1863-'64, made their way to the Omaha reservation, in Nebraska, where they arrived in a starving condition—a large number of them having either frozen or starved on the long and tedious passage at that inclement season of the year. Agent Furnas, of the Omahas, subsisted them temporarily from the supplies of the Omahas, and at once informed the department in regard to their condition. He was directed to contract with some responsible party for their subsistence until otherwise ordered, and after public notice had been given the contract was awarded to George B. Graff, under which they are subsisted at the present time. The terms of that contract are known to the department, and I have only to say that after diligent inquiry in reference to the manner in which it has been complied with, I am satisfied that there are no just grounds of complaint respecting it. My opinion in reference to this subject, it may be proper to remark, was formed to a great extent from facts elicited by Hon. A. W. Hubbard, of Iowa, a member of the congressional investigating committee, who had just concluded his investigation of the matter of the performance of this contract at the time of my arrival on the reservation. The Indians, in their council, made no complaint as to the quality or quantity of the food supplied by the contractor, except that at one or two, perhaps three deliveries, they were furnished with unbolted flour.

The contract price for these supplies is also known to the department. In my judgment no better terms can be obtained at present by a reletting, in which opinion Judge Hubbard expressed to me his concurrence. If the prices of beef and flour should so far decline during the present season as to justify the belief that a contract more favorable to the government and the Indians can be made, I will promptly report the facts to the department and ask that a new contract be authorized in pursuance of law.

The new reservation purchased by the Winnebagoes from the Omahas embraces a strip off the north side of the Omaha reserve, (80 miles north of Omaha City,) fronting four miles on the Missouri river, and running west ten miles; from thence west to the western line of the Omaha reserve. The land purchased is eight miles wide by twenty miles in length, making in all 240 sections, or 153,600 acres. For this reservation the Winnebagoes have contracted to pay the sum of fifty thousand dollars, or say thirty-nine cents per acre. The purchase embraces a body of land as desirable for farming purposes as any portion of Nebraska, excepting perhaps the valley of the Platte river. It is well supplied with water, and there is sufficient timber upon it to meet all the requirements of the Indians in the future. The timber is principally hard wood, suitable for building purposes, and very desirable for fire-wood. I regard the purchase as highly advantageous to the Win-

nebagoes, and recommend that the treaty be ratified by the Senate at the earliest practicable period.

With proper improvements upon this reservation the tribe of Winnebagoes may be made *self-sustaining* within the next eighteen months.

Agent Balcombe has broken three hundred acres of land on this new purchase during the present season in the fertile valley of Omaha creek, about fifteen miles distant from the buildings and improvements of the Omaha agency. This will enable the Winnebagoes to raise a large crop of corn, potatoes, and garden vegetables next year, (should the treaty be confirmed,) which will materially decrease the expense now necessarily incurred in subsisting them. About 1,200 acres of superior bottom land, upon which there are perhaps four hundred acres of breaking and three or four buildings, might be obtained at small cost, in the valley of Omaha creek, north of the northern limit of the reservation, and embracing all the bottom land in this beautiful valley, thus enabling the Winnebagoes to plant about 700 acres of ground next year; which, with a favorable season, would go far towards supplying them with all the corn they would require for their subsistence. In the valley of the Missouri, which is only separated from the 1,200 acres of land to which I have referred by a narrow bluff, there is a beautiful lake of several thousand acres, owned by the government, and which contains a vast quantity of fish. This lake, together with the farming land spoken of, the Winnebagoes are exceedingly anxious should be added to their reservation, either by gift or purchase; and in the council spoken of their chiefs requested me to urge the matter upon the attention of the proper departments of the government.

The case of these Winnebago Indians is one of peculiar hardship. Hurried from their comfortable homes in Minnesota, in 1863, almost without previous notice, huddled together on steamboats with poor accommodations, and transported to the Crow Creek agency, in Dakota Territory, at an expense to themselves of more than \$50,000, they were left, after a very imperfect and hasty preparation of their new agency for their reception, upon a sandy beach on the west bank of the Missouri river, in a country remarkable only for the rigors of its winter climate and the sterility of its soil, to *subsist themselves* where the most frugal and industrious white man would fail five years in every six to raise enough grain upon which to subsist a family. The stern alternative was presented to these unfortunate people, thus deprived of comfortable homes, (on account of no crime or misdemeanor of their own,) of abandoning this agency or encountering death from cold or starvation. They wisely chose the former, and after encountering hardships and suffering too terrible to relate, and the loss of several hundred of their tribe by starvation and freezing, they arrived at their present place of residence in a condition which excited the active sympathy of all who became acquainted with the story of their wrongs. There they have remained until the present time, trusting that the government would redeem its solemn pledge to place them in a position west of the Missouri, which should be as comfortable as the one which they occupied in Minnesota. I will not permit myself to doubt that this pledge of public faith will be fully redeemed.

This tribe is characterized by frugality, thrift, and industry to an extent unequalled by any other tribe of Indians in the northwest. Loyal to the government and peaceful towards their neighbors, they are entitled to the fostering care of the general government.

The improvement of the homes which they have voluntarily selected for their future residence will place them in a short time beyond the reach of want, and take from the government the burden of supplying their wants at an annual expense of \$100,000.

The dictates of a wise economy no less than the demands of justice, require that this should be done, and that speedily.

The statistics of this tribe, embracing the number of men, women, and children, will be furnished to the department at an early day, through the annual report of Agent Balcombe.

Very respectfully, your obedient servant,

E. B. TAYLOR, *Superintendent.*

Hon. D. N. COOLEY, *Commissioner Indian Affairs.*

No. 154.

WINNEBAGO AGENCY, *September 1, 1865.*

SIR: The affairs of this agency have been in a more unsatisfactory condition since my last annual report than before, both to the Winnebagoes and those who have been immediately connected with the administration of their affairs.

The oft-repeated removal of these Indians previous to the year 1863, then their removal in 1863 from their Minnesota home, which was one of their own choice, and most highly valued by them—their removal from which they considered an unwarrantable violation of treaty obligations on the part of the government; then their subsequent location in Dakota, which was an unfit location for their occupancy, selected without consulting their wishes, in the midst of their enemies, when they had been promised a pleasant location and to be placed thereon in as comfortable circumstances as they were in Minnesota, from which a portion fled on account of their fear of the Sioux, and became wanderers and consequently sufferers; then finally, after they had treated for a new reserve this last spring, they were informed that another year at least must expire before their treaty would be ratified and the necessary appropriations be made by the Congress of the United States to commence improvements with upon the new reserve. These and other unfortunate circumstances and unavoidable delays and disappointments which they could not realize the necessity for, transpiring through a term of nearly three years, have very naturally caused much distrust, uneasiness, and discontent in the tribe; and those who have been immediately connected with their management have been much embarrassed and unable to maintain the same relations with them they otherwise would under more favorable circumstances, for all Indians are prone to attribute both the favors they receive and the hardships they endure to those who have immediate control of their affairs.

All of these embarrassments, distrusts, and discontents will end, and confidence will be restored, as soon as the long-deferred promises which have been made them are fulfilled and they are settled down upon their farms, and stock and the necessary implements for agricultural and grazing purposes are furnished them, which I am confident will be provided for by the next session of Congress, in accordance with the dictates of stern justice, which should be liberally dealt out to these helpless wards of the government; for if there is any tribe of Indians who are entitled to kind consideration and have just claims upon our government it is the Winnebagoes, which has always been loyal, which undoubtedly is fully understood and appreciated by this time by all departments of the government, and they will act accordingly.

The Indians, more fully than ever before, realize the absolute necessity of their adopting the ways of civilization and laboring for a livelihood. I am

of opinion that there is not another tribe in the northwest which will advance as fast in agricultural and pastoral pursuits when again placed under as propitious circumstances as they were in Minnesota.

They are as well satisfied with this reserve as they could be with any which they could obtain in this section of country; they would much prefer a location in Minnesota or Wisconsin, but they have been informed that that was impossible, by those who represent the government, so often that the most of them have given it up, and when furnished with broken lands, stock and farming implements to work with, I am fully convinced they will settle down upon their present reserve and desist from wandering into the white settlements, and among other Indians, as they have heretofore, in violation of orders, and notwithstanding the fact that every effort has been made to restrain them from so doing.

A sufficient amount of arable lands for agricultural uses for the whole tribe can be found upon the north side of the reserve, fifteen miles from the Omaha agency, with the Omaha creek and its spring tributaries running through them, with plenty of timber for farm uses about three miles distant, and timber about six miles distant upon the Missouri river bottoms, and about ten miles from the present steamboat landing at Dakota City.

An addition of a strip of land from one to two miles wide on the north side would add very much to the value of the reserve, and be otherwise very advantageous.

As the reserve now is, the only eligible location for the agency buildings and Indian farms is upon the aforesaid Omaha creek, about six miles from the timber for lumber, which is near the Missouri river; hence if the saw-mill is placed where the timber for lumber is, the lumber must be hauled six miles; or if the mill be placed upon the Omaha creek, the logs would have to be hauled six miles, and everything which is transported upon the river (Missouri) will have to be hauled ten miles from the present landing to the agency, which will involve a large expenditure the first year, and some each year thereafter, and in the aggregate may involve nearly as great an expenditure as it would to purchase the proposed strip of land.

If this addition should be made, it might be thought best to locate the agency buildings and a portion of the Indian farms under the bluffs upon the Missouri river bottom, near a good steamboat landing, and near the best of timber for all purposes, for upon said strip there is a large tract of bottom lands, a good steamboat landing, and a saw-mill all ready for immediate use, which doubtless might be purchased for less than it would take to construct one, and its immediate use would expedite the establishment of the agency.

This agency having been in a transitory condition for the past year, and not having any means at its disposal to make improvements upon the new reserve, nothing has transpired worth mentioning, and as you have just visited the reserve and made yourself fully acquainted with all of the circumstances attending the same, and consequently are fully prepared to advise and direct as to the future, I will desist from further remarks and will close by expressing an earnest hope that before another annual report the Indians will be settled upon their new reserve under auspicious circumstances, and their confidence in the justice of our government fully restored.

I am, as ever, yours, most respectfully,

ST. A. D. BALCOMBE,
United States Indian Agent.

Colonel E. B. TAYLOR,
Superintendent Indian Affairs, Omaha, N. T.

No. 155.

OMAHA INDIAN AGENCY, N. T., May 29, 1865.

SIR: Fearing that the agent for the Winnebagoes would not reach here in time to put in crops for them, I have taken the responsibility of having broken up somewhere from one to two hundred acres of ground at and near where they cultivated last year. I also furnished them with hoes and seed corn, and they have the ground planted. On the 26th of this month Agent Balcombe reached here, at which time I ceased my efforts.

I did what I have done for three reasons: 1st. I knew if the Winnebagoes raised no corn for themselves they were sure to depredate both on the fields of the Omahas and the settlers adjacent to the reserve; 2d. It was important to keep them employed in order to enforce discipline; 3d. The corn they will raise if successful (of which the prospect is now most flattering) will be an important item in the bill of expense for subsisting them.

Hoping that my action in the premises will meet the approval both of yourself and the Commissioner of Indian Affairs,

I am, sir, very respectfully, your obedient servant,

R. W. FURNAS,

United States Indian Agent.

Colonel WM. M. ALBIN,

Superintendent Indian Affairs, St. Joseph, Mo.

No. 156.

DEPARTMENT OF THE INTERIOR,

Office Indian Affairs, September 4, 1865.

SIR: I have the honor to acknowledge the reference to this office of a communication, dated August 17, ultimo, from Francis Beveridge, presenting for action by the department the claims of certain Winnebago Indians, and to return the same with this report.

Mr. Beveridge, as attorney for these Indians, does not, in my judgment, overestimate the hardships inflicted upon them, arising from the action taken by Congress in 1863, in response to the almost unanimous appeal of the frontier settlers of Minnesota, who had suffered such barbarities at the hands of the Sioux that they could not at that time suffer an Indian to remain in that region. No compulsion was used by the government in the removal of the tribe, and the act of Congress authorized none; but the great majority of the Indians saw the necessity which pressed upon them, and submitted, with the exception of the parties referred to by Mr. Beveridge, whose statement is correct as to previous action by the Interior Department, in reserving from appraisement and sale the tracts of land allotted to the claimants, and it is also true that no further action has been taken by the department in the premises. I feel further compelled to concede, in the main, the justice of the attorney's argument, derived from a consideration of the leading features of the treaty of 1859.

But, while conceding this, and desirous of doing everything which is within the power or influence of this office to do justice to the Indians referred to, I do not find all of the remedies suggested by Mr. Beveridge to be so easily applied as he appears to imagine, although a part of them seems to be quite within the power of the department. I refer to these suggested remedies as they occur in the letter of Mr. Beveridge.

1st. In relation to the issue of certificates to the claimants for the lands heretofore assigned to them. I recommend that this request be granted, and the certificates issued with as little delay as possible.

2d. Payments to these Indians of their distributive share of the proceeds of the sales of the Winnebago land. There has been no accumulation of this fund in the hands of the government, the proceeds having been nearly if not quite all absorbed in the payment of debt certificates, as provided in the treaty of 1859.

3d and 4th. In regard to other moneys due and belonging to the Winnebagoes under former treaties, I have to state that Congress has acted upon the theory that the funds belonging to the tribe should be expended for the benefit of those who were removed to the Missouri river, and who are now upon the Omaha reservation; and the funds and goods have been thus applied.

5th. Payment to those parties of the principal sum, representing their rights in the moneys, &c., due and to become due to the tribe. I see no method of acceding to this request except by action of Congress.

In regard to granting the Indians their lands in fee simple, I see no reason why this should not be done in every case where evidence can be produced of their ability to take care of their property, and in this connexion would suggest whether the formality of a certificate of the allotment is necessary to precede the patent.

The question of the ratification of the treaty made last spring with the Winnebagoes will come before the Senate at its approaching session for ratification, and, although the special object of that treaty was to settle the tribe upon a part of the Omaha reservation, I beg leave to suggest whether it would not be advisable, if it is possible, to obtain such additions or an amendment to that treaty as will provide for the rights of the Indians referred to by Mr. Beveridge, in regard to capitalizing and paying to them their share of the tribal funds, and making to them the same compensation for such share as has been lost to them through their maintenance of what I think must be admitted to be their right, to remain in Minnesota.

Should the suggestions herein made meet with your concurrence, I shall be glad to communicate the fact to the party representing these Indians, and thus to assure them that there is every disposition to do them full, if tardy, justice.

Very respectfully, your obedient servant,

R. B. VAN VALKENBURGH,

Acting Commissioner.

HON. JAMES HARLAN, *Secretary of the Interior.*

No. 157.

MISSION HOUSE, *New York, February 20, 1864.*

SIR: The document herewith was sent to me, at the request of the Winnebago chief, with a request to forward it to you when I had read it. I can only say that I had no agency in getting up this paper, and knew nothing of its existence till I received it by mail.

I am, respectfully, your obedient servant,

WALTER LOWRIE.

WM. P. DOLE, Esq., *Commissioner of Indian Affairs.*

OMAHA RESERVE, *December 30, 1864.*

Our Great Father at Washington, all greeting: From the chiefs, braves, and headmen of your dutiful children, the Winnebagoes.

Father, we cannot see you. You are far away from us. We cannot speak to you. We will write to you, and, Father, we hope you will read our letter and answer us.

Father, some years ago, when we had our homes on Turkey river, we had a school for our children, where many of them learned to read and write, and work like white people, and we were happy.

Father, many years have passed away since our school was broken up; we have no such schools among us, and our children are growing up in ignorance of those things that should render them industrious, prosperous and happy, and we are sorry. Father, it is our earnest wish to be so situated no longer. It is our sincere desire to have again established among us such a school as we see in operation among your Omaha children. Father, as soon as you find a permanent home for us, will you not do this for us? And, Father, as we would like our children taught the Christian religion, as before, we would like our school placed under the care of the Presbyterian Board of Foreign Missions. And last, Father, to show you our sincerity, we desire to have set apart for its establishment, erection, and support, all of our school funds and whatever more is necessary.

Father, this is our prayer, will you not open your ears and heart to us, and write to us?

In testimony of our wish, we the chiefs, braves, and headmen of the Winnebago tribe of Indians, do subscribe our names on this the thirtieth day of December, anno Domini eighteen hundred and sixty-four.

Signed by thirty-eight chiefs and headmen of the Winnebagoes.

HON. WM. P. DOLE, *Commissioner of Indian Affairs.*

No. 158.

GREAT NEMAHA AGENCY,
Nohar!, Nebraska, September 1, 1865.

SIR: In accordance with the regulations of the Indian department, I have the honor of submitting the following, my fifth annual report, of the condition and affairs of the Iowa and Sac and Fox of Missouri Indians, under my charge.

The Iowas are gradually advancing in their agricultural pursuits. Have long since found that if the government sees fit to permit them to retain their present reservation, surrounded by whites and occupying one of the finest tracts of land in the United States, they must become civilized, and adopt the manners and customs of our people. A number of the leading men are well aware that their annuities are so small that they cannot depend on them for a support, and as the game is all gone they see the necessity of tilling the soil for their support.

The great demand and high price for corn stimulated them to plant a large crop, and to cultivate in a manner that will equal, if not excel, those of their neighboring white brethren.

The advanced price of stove wood and demand at the neighboring villages induce them to cut and haul large quantities of it, and this furnishes them the means of purchasing many of the necessities of life. They may be seen daily hauling their corn, vegetables, wood, &c., to market, and returning with flour, meat, coffee, sugar, &c., which they have received in exchange or purchased with the proceeds of their load.

The Iowa Indians have sent forty-three of their number as soldiers in the regular volunteer service of the United States army. The principal portion enlisted in company B, 13th Kansas volunteers, and company C, 14th Kansas volunteers.

They participated in a number of hardly contested battles, and have been highly complimented by their officers for their bravery, and are now mustered out. Of the whole number, but two have been wounded—one by the bursting of a gun in battle, the other shot through the arm and side by a bushwhacker; one died in the hospital, two died at home, and not one killed in battle. But few of these soldiers when they enlisted could speak our language; the majority of them can now converse well.

This has been a good school for them, and they tell me that they are now convinced that it is better for them to erect houses, make good farms and live as citizens. Many of them were boys when they enlisted, and consequently have nothing to work with.

The chiefs and braves wish a special appropriation of ten thousand dollars made from the proceeds of their portion of the Sac and Fox of Missouri trust lands to purchase oxen, wagons, and agricultural implements for these soldiers.

This I consider generous on their part, and would most respectfully urge that their wishes be complied with. As there are a number of the Iowas who are far enough advanced to take care of themselves, it seems to me that it would be policy for the government to make a treaty with them, or by law of Congress, permitting all those who could go before the probate court and procure a certificate that they are competent to take care of themselves and manage their own business, and wish to become citizens and cease their tribal relations, to draw their portion of all money due the tribe, and set apart a portion of their land, so that each one can receive a homestead, and thereby cease to be a charge to the government.

A school has been established for some six years on the Iowa reserve. There are at present thirty-eight scholars, twenty males and eighteen females. The school cannot be called a success, from the fact that some of the parents take but little, if any, interest in the school, and it is almost impossible to obtain a regular attendance, and we can only secure a full school when there is a prospect of a distribution of clothing. Those who attend regularly make rapid progress in learning our language.

The Iowas number, according to a late census, 129 males and 165 females—total, 294. They have under successful cultivation by their own labor, excepting a portion of the ground being broken for the wives of the absent soldiers, 289 acres. Of this amount about 100 was planted in sweet or sugar corn. The greater portion of this they have prepared in their usual manner, boiling the ear while fit to eat, picking off the corn so as to leave the grain whole, then exposing it to the sun until it becomes thoroughly dry and hard, then storing away in sacks, which goes a great way toward their subsistence in winter.

They have planted over one hundred acres of Indian corn, which will yield about five thousand bushels; also a large amount of beans, &c.

Their individual wealth consists principally as follows:

91 head of horses, valued at	\$8,000 00
71 head of cattle, valued at.....	3,500 00
210 head of hogs, valued at.....	1,000 00
Agricultural implements	7,250 00
Total.....	<u>16,750 00</u>

The Sac and Fox of Missouri Indians are now settled on the lands purchased of the Iowas. This is a small band of the Sac and Fox of Mississippi, which split off from the main tribe many years ago, and since that time have been living near the Iowas.

They have decreased until there now remains only 44 males and 51 females, making a total of 95. Their present home contains about twenty-five sections of choice land, well watered and with plenty of timber and stone.

There are not over two hundred acres that cannot be successfully cultivated. They have two patches or fields under cultivation, containing forty-eight acres, which was planted principally in squaw corn, beans, &c. This has been cultivated principally by the squaws, only a few of the men working, as the majority of them think it a disgrace for men to labor.

These people will be in an almost destitute condition this winter, and some provision will have to be made for their support, from the fact that almost all of their fields were on the Great Nemaha river bottoms, and the great freshets during the spring and summer inundated all the low land and washed out the larger portion of their crops.

During the present year I have had twenty-one acres broken, preparatory to fencing this fall, and furnished agricultural implements to the few who are disposed to labor.

Their individual wealth consists as follows:

Sixty-one head of horses, valued at.....	\$4, 500
Agricultural implements.....	2, 600
Total.....	<u>7, 100</u>

I have endeavored to establish a school for them, but so far they will not consent to send their children.

Very respectfully, your obedient servant,

JOHN A. BURBANK,
United States Indian Agent.

Hon. E. B. TAYLOR,
Superintendent Indian Affairs, Omaha, Nebraska.

No. 159.

IOWA INDIAN SCHOOL, *August 30, 1865.*

DEAR SIR: In compliance with your request, I submit the following report in relation to the Iowa Indian school:

On the first day of March last I assumed the duties of school-teacher. The attendance during the spring and summer has been much better than I was led to expect, and notwithstanding the difficulties attendant upon not awakening the interest in the parents that there should be, the scholars have made rapid improvement, which certainly proves them to belong to a people capable of great advancement and learning. The whole number of pupils now in attendance is thirty-eight, twenty of whom are males and eighteen females. A large number of these attend regularly and feel a deep interest in their studies. The older scholars write a legible hand, read and spell well, and understand arithmetic quite readily. Some who a short time since had but little idea of letters, now read very well in the First Reader. The younger classes are equally advanced in proportion to their ages. I have been in the habit of setting copies on slates for those too young to write with the pen, all

of whom have learned to make tolerably well-formed letters, fully equal to what could be expected of white children. Yet I labor under a great disadvantage compared with those teachers who have the pupil separate from the tribe. As soon as they leave the school our language is entirely forgotten. Their pronunciation of our language is perfect, and if a regular attendance could be insured it would be of an incalculable advantage.

The branches taught in the school are McGuffey's Speller, First, Second, and Third Reader, Ray's Primary Arithmetic, and writing.

Very respectfully,

MARY F. GROSSMAN,
Iowa School Teacher.

Major JOHN A. BURBANK,
United States Indian Agent.

No. 160.

GREAT NEMAH Agency, August 18, 1865.

SIR: In accordance with your instructions, I herewith submit the following report:

Since my report of October last my work during the winter was principally repairs on the old houses. In the spring, by your direction, I ploughed eight fields, with an aggregate of fifty-two (52) acres, belonging to soldiers away in the army. Although a late spring, the crops of corn never looked better, and the Indians look forward with pleasure at the thought of making their sweet corn with much to sell in the fall and winter. Though nominally the farmer, I do not raise any crops; they (the Indians and squaws) cultivate their own farms. My work is mostly as carpenter and joiner, together with most any other work that is to be done. I have finished complete two log houses, built an addition to the agency house, also a small kitchen to the teacher's house. At present there are only two log houses ready to work upon, with material enough to nearly complete them. The soldiers having just returned, are anxious to build log houses, and live like white people. In such an event much lumber and other material will be necessary the coming year.

Much trouble has been experienced in getting lumber, owing to frequent rains that have deluged this section, making the roads almost impassable. The bridge over Roy's creek, which the assistant blacksmith and myself constructed last summer, was washed out about two months ago. The water has been so high ever since that it has been almost impossible to replace it. This bridge is necessary for the accommodation of both tribes who live west of it, and are compelled to come to this agency to do their business, now making a circuit of two or three miles over bad roads.

Very respectfully, your obedient servant,

J. M. WASHBURN,
Iowa Indian Farmer.

JOHN A. BURBANK,
United States Indian Agent.

No. 161.

Pawnee agency.—Special report.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Omaha, Nebraska, September 5, 1865.

SIR: In obedience to your instructions of the date of June 27, 1865, I visited the Pawnee agency on the 29th and 30th August, and made a thorough

examination into the condition and necessities of the tribe, as well as the general management and present condition of the agency, and have the honor to submit the subjoined report.

The Pawnee reservation is situate in the valley of the Loup fork of the Platte river, (105 miles west of Omaha,) and is a fine body of agricultural land, fifteen miles wide by thirty miles in length. The buildings on the reservation consist of an agency house, a council-house, a trader's house, a blacksmith and tin shop, (in one building,) and the new manual labor school-house, (which was made the subject of a special examination and report by direction of the Indian department,) and a miller's house and teacher's house. Some of these buildings are in good repair; others require immediate repair to prevent serious loss and damage; all of which will appear in the subsequent pages of this report. The last census of the Pawnees (taken in March, 1865, as I am informed,) shows the present strength of the tribes to be 2,800 souls.

Their physical condition is good. The summer hunt of the present year has been unusually successful, and the supply of buffalo meat is ample to meet all their necessities until the recurrence of the annual winter hunt. About 1,000 acres of excellent corn have been raised by the Pawnees the present season. About 100 acres of beans and squashes have also been produced, all by the labor of the Indians.

The tribe is pretty well supplied with horses, ponies, and fire-arms, and if they can be paid the residue of their annuities in time to enable them to supply the necessary ammunition for their winter hunt, (which they desire to commence as early as the middle of October,) there can be little doubt that they will be well provided with necessary provisions during the coming winter. A full conference with the chiefs and warriors of the tribe elicited an expression of the most friendly spirit towards the government and the people of the white settlements around there. One company of Pawnee scouts are now in the service of the government, under the immediate command of Brigadier General Connor, and I take pleasure in stating that they have rendered most valuable service in the recent campaign against the hostile Indians of the plains.

THE AGENCY.

The general condition of the agency is by no means satisfactory. No crops of any description have been raised on the reservation farm the present year, the farm hands and teams having been employed, by direction of late Agent Lushbaugh, in furnishing materials and lumber for the manual labor school-house recently erected on the reservation.

In consequence of this failure, all the corn, oats, &c., necessary to feed the farm stock during the coming winter, it will be necessary to purchase from the settlers in the vicinity.

Three wells on the agency, one at the agency house, one at the engineer's house, and one at the school-house, are partially filled up and unfit for use. Agent Wheeler estimated that they can be repaired and permanently walled at a cost of \$60 for each. I examined them and concur in this opinion. The agency house, blacksmith and tin shops, council house, and traders' house, are in good repair.

The miller's house and engineer's house are isolated from the other buildings on the reservation and exposed to the raids of the Sioux, which are of frequent occurrence. Consequently the occupants are in a constant state of alarm. Agent Wheeler advises that these buildings be removed to the vicinity of the agency and other buildings. To repair and remove them as above, the agent estimates will cost \$405. I would recommend that the removal be authorized as a matter almost of necessity, it being difficult to induce the families of employes to occupy them in their present localities.

The steam saw and grist mills require some slight repairs, and the item in Agent Wheeler's estimate for the current quarter is, in my judgment, necessary to put them in such repair as will enable the agent to use them until the coming spring.

I desire here to call the attention of the department to the fact that the steam saw and grist mills stand on the margin of one of the best mill streams in the west, one which would afford an ample supply of water, during the driest season, to propel two run of stones and a saw-mill. Situated as this mill is, in the midst of a prairie country where timber is very scarce and expensive, I cannot too strongly recommend that it be converted into a water mill at the earliest practicable period.

The expense of the change would probably reach \$4,500. This would be saved in less than four years in the single item of an engineer's salary. Wood is now being hauled about eight miles at a large expense, costing the government the services, on an average, of one team and a laborer at \$40 per month while the mill is actually running.

There are but twenty-two scholars in attendance upon the manual labor school. It is hoped that this number can be increased to not less than one hundred during the present summer and fall. Surely the building, which is 113 feet long by 42½ feet wide and three stories high, is ample for the accommodation of a much larger number than are now in attendance. If the average attendance of scholars cannot be increased to at least one hundred, some portion of this large building might be profitably devoted to other uses. In any event, it is much in advance of the necessities of the tribe.

Very respectfully, your obedient servant,

E. B. TAYLOR, *Superintendent.*

HON. R. B. VAN VALKENBURGH,

Commissioner Indian Affairs, Washington, D. C.

No. 162.

PAWNEE INDIAN AGENCY,
Genoa, Nebraska Territory, September 15, 1865.

SIR: I have the honor to submit, in compliance with your request, the following report in relation to the affairs of this agency for the past year, as fully as I can, with the information I have been able to get.

On the tenth day of July last I assumed the duties of this agency, and in consequence of the short time since I entered upon the duties here it will be impossible for me to make as full and complete a report as I desired to have made.

I found, upon assuming the duties of my office, that the Pawnees had gone *en masse* out upon their annual summer hunt, leaving no Indians on the reserve save those employed on the farm, &c. The Indians were accompanied by their interpreter, "Baptiste Bayhille," who, with the head chief, "Pe-tane shaw," was supplied with letters and papers from their late agent, Lushbaugh, to enable them to go to their hunting-grounds on the Arkansas river without molestation from soldiers or citizens with whom they should meet. Previous to the Indians arriving upon their hunting-grounds Brevet Brigadier General R. R. Livingston, who was in command of this sub-district, detached a squad of men to accompany the tribe and prevent any trouble between soldiers or citizens who were travelling on the plains, and who might fall in with the Pawnees while they were on their hunt.

Many whites who were unacquainted with the tribe, and some evil-disposed persons who had had trouble with members of the tribe, charged the Pawnees with being in league with the Sioux and other hostile Indians, who had been for some time previous committing so many depredations and atrocities upon the plains.

Upon a full and complete muster of the tribe, and examination of these charges by the military authorities, the Pawnees were cleared and exculpated from the charges thus made against them.

The Pawnees, on account of the protection of soldiers accompanying them, were more than usually successful on their hunt. They killed and secured the hides and meat of some 1,600 buffalo, antelope, elk, and deer, and returned to their reserve on the 9th of August, having been absent about fifty days. Since their return they have been busily engaged in drying and securing their crops of corn, beans, and squashes. I am informed that their crops this year are the best they have ever raised.

I found the school small, but prosperous. The building occupied by the school being too small to accommodate anything like the number of children desirous of attending, on the 18th of August the school was removed into the new building recently erected by government for the benefit of the tribe. Since the removal of the school I have directed the teachers and others employed about the school to prepare clothing, beds, &c., to accommodate twenty-eight more children, who will be put into the school as soon as we can make the necessary arrangements. I anticipate increasing the number of scholars to one hundred as soon as the accommodations can be made, provided the funds which are set apart by the government will support that number.

For further particulars in regard to the school I refer you to the teacher's report, which accompanies this. I find that some of the Indians have already made some advances in agriculture, a few using the plough in preparing their grounds for crops. Nearly all use the wagons furnished them by their annuity funds by the request of the chiefs.

The tribe is but slowly advancing in the arts of civilization. Our hopes are upon those who are now, and may hereafter be, taught in the school, and who will in time take the lead as chiefs and headmen in the several bands of the tribe. The Indians, after they arrive at the age of eighteen to twenty years, can be but very little benefited by the whites. Still, the Indians desire, and I believe endeavor, to follow the advice of the agent, so far as they can, in all their dealings with white people.

I hear but few complaints of thefts by the Indians from white people. All seem disposed to try to do right and receive the name of "good Indian" from the whites. This favorable condition of the tribe is no doubt mainly due to the police regulations existing among the tribe.

The natural enemy of the tribe, the Sioux, have not thus far this year interfered with the tribe here, and I anticipate no further trouble for the time being, as the general commanding this district has kindly stationed company E, 1st Nebraska veteran volunteer cavalry, on the reserve, thus giving the employes of the agency a feeling of security, which has been a stranger to them for some time past.

The farmer's report, which accompanies this, will show that the farming operations this year have yielded nothing for the agency. Not a grain of anything has been grown except by Indians. I procured some turnip seed and had an acre sown, but the seed was bad and none has been raised. I shall have to purchase grain for farm stock, and wheat to supply the school with flour for the ensuing year, which will require an additional appropriation of funds for that purpose.

I found the stable on the farm almost ready to tumble down, and there-

fore directed the farmer to pull it down and erect another in a more desirable place, which has been done at a very small expense to the agency. I fully concur with the suggestion of the farmer in his recommendation for seeding down with tame grass about fifty acres of the school farm, and if I can procure the seed, shall endeavor to have it done the ensuing spring. I shall add a horse team and two or three yoke of cattle to the farm stock as soon as I have funds sufficient for that purpose. The stock on the farm is entirely inadequate to the work necessary to be done to make it self-sustaining. The steam grist and saw mill which has been provided for the agency is, so far as the building and machinery are concerned, tolerably good, although sadly out of repair. It is necessary to have a new bolt to be able to make good flour; it is also necessary to change the furnace considerably to enable us to burn green wood, as there is no further supply of dry wood to be had. On account of great scarcity of timber on the reservation, the mill is almost useless as a source of income to the agency, it being only with great labor, and by hauling wood from seven to ten miles, that we are now able to run the mill for the purpose of supplying the wants of the agency. I shall endeavor to put the mill in order for use this winter, hoping that the government will make the necessary appropriation of funds to change the mill from steam to water power. The mill buildings are situated near the banks of the Beaver river, a never-failing stream, with as good mill privileges as upon any stream in Nebraska. This change being made, the mill would be a source of quite an income to the agency, and be a great saving of timber, which last item should be looked to, as the supply for the use of the Indians will become exhausted ere many years.

The Indians visit the blacksmith and tinsmith shop very often, and keep the men employed there very busy. It is with great difficulty that I can get mechanics to fill the places on the agency, on account of the small wages paid and, the very high prices which they have to pay for all necessaries. The head chiefs have requested me to assist them in building houses, as they say they like white men's houses. I have informed them in council that if they would cut the logs and furnish them at the mill, and wood for the engineer, I would saw all the timber and lumber necessary to build the houses for them. They also desire more wagons and harnesses, which I propose to purchase for the several bands out of their annuity fund.

I have been frequently importuned by some of the head chiefs to buy them cooking stoves and other household articles, but have informed them that I could not buy them as long as the government furnished them a part of their annuity in goods.

The chiefs, soldiers, and headmen of the tribe requested Superintendent Taylor to ask the government to pay their annuity all in money, and then their agent could buy them such goods as they really needed. They have usually received among their annuity goods large quantities of goods, which to them were entirely useless.

I think a general order should be made by the department to prevent white people, off of the reservation, or residing outside of the Indian country, from trading the Indians out of their annuity goods, such as blankets, calicoes, guns, powder, lead, and agricultural implements. By stopping this illegal traffic, much of the trouble now arising between the whites and Indians would be avoided. The Indians would then have no excuse for leaving their agencies, and the claims for thefts of horses, cattle, and goods, now being filed against the Indians, would be stopped, and save all persons connected with the Indian department much time and trouble in adjudicating such claims.

On or about the 26th day of July, one of the Pawnee Indians, an old, quiet, and inoffensive man, was killed some fifteen miles from the agency,

on the Loupe river. Up to the present time the perpetrators of this cold-blooded and unprovoked murder have not been found out. This act of some irresponsible party or parties has made some bad feeling in the tribe. I have used every means in my power to ascertain the guilty ones, but all to no purpose.

I would suggest that a sum of, say, \$100 be appropriated by the department and placed in the hands of yourself, or the agent, to purchase suitable articles as presents to the relatives of the man killed, and thus appease their animosity. This is the Indian custom of settling such matters, and is, in my opinion, the best way to settle this matter.

No census of the tribe has been taken since my taking possession of the agency. The number on the pay-roll at last pay-day was about 2,800. The wealth of the tribe, in live stock, is very hard to arrive at, and it is very difficult to ascertain the number of horses owned in the tribe.

I hope, in future, to be able to report more definitely in regard to the last-mentioned subject, as I shall take special pains, when taking the next census, to ascertain all these matters of interest and report them to you.

I am of the opinion that \$1,250 should be set apart each year for the payment of the police, and that the police should not be under the control of the chiefs. It should be above them, and they responsible to the police, and the police responsible to the agent. It is an effective and indispensable organization, and has and is preventing much trouble among the tribe, and between the Indians and whites.

Hoping that my labors and acts during the brief period I have been honored with the position I now occupy may prove satisfactory to you, sir, and the Indian department,

I am, very respectfully, your obedient servant,

D. H. WHEELER,

United States Indian Agent.

Colonel E. B. TAYLOR,

Superintendent Indian Affairs, Omaha City, Nebraska.

No. 163.

PAWNEE MANUAL LABOR SCHOOL, *September 15, 1865.*

SIR: Herewith I have the pleasure to submit my annual report of the condition of the school under my charge during the past year. As will be seen by my report for last year, there was much sickness in the school, which caused us to fear a recurrence of the same this season. In this expectation, through the blessing of God, we have thus far been most happily disappointed. During the year ending with this date we have had but two deaths, a period of health beyond anything heretofore realized in the history of this school. The ill health of the children heretofore may undoubtedly be traced to their being crowded together in small and ill ventilated sleeping apartments, a proceeding forced upon us by the limited room we occupied, being so small as to be totally inadequate to the purpose of a school of this kind.

Knowing that the sickly season was rapidly approaching, and fearing a repetition of the scenes of last summer, and prompted by these considerations, I took the responsibility of moving the school into the house lately erected at government expense, although, at that time, unaccepted by the government. The continued good health of the children so far during this, a much sicklier season than last, fully to my mind justifies this course, if it needs justifying. The number of pupils now in the school is twenty-two;

dead, two; returned to the tribe, one; whole number under instruction during the year, twenty-five. As our school now exists, it contains thirteen boys and nine girls. The following number opposite the branch taught will show the number pursuing that study:

English grammar.....	5
Geography.....	11
Mental arithmetic.....	11
Writing.....	11
Reading.....	15
Orthography.....	22

There has been a steady advancement made during the year by all the pupils in acquiring a knowledge of the rudimentary branches of English education, which is truly gratifying to the friends of and the workers in this truly benevolent enterprise.

This school has been now in operation over three years. During that time the average attendance has been under twenty pupils, while the government has appropriated ten thousand dollars per annum as an educational fund for its support. This fund has been expended; how, or in what way, it is not at this time our province to inquire; but that the outlay has been totally disproportionate to the results all must concede. I call your attention the more readily to this prominent feature, from the fact that no part of this outlay has passed through your hand during the short period that you have been an incumbent of the office of Indian agent. How, then, can this disbursement be made effective? The history of government schools among the Indians, as such, is a history of failures; and the wisdom of the government has been displayed by making the various missionary boards generally the disbursers of its educational funds. The advantages accruing to the Indians and to the government are so numerous and obvious that they must, in full force, strike every one at the first glance. All know that that frequent changes in instructors and modes of instruction are invariably disastrous to the interests of a school among white children, and experience teaches that they are much more so among Indians, who, naturally shy, reserved, and suspicious, need a long acquaintance before anything like complete confidence is felt by them.

Now, frequent changes utterly preclude the possibility of such confidence being established. Again, a long acquaintance is necessary in order to obtain a knowledge of the peculiar traits of Indian character. Without this knowledge, all efforts to educate him will be entirely abortive. Long years of personal contact are necessary to the attainment of any great amount of success as an educator of the Indians. Now, the constantly recurring political changes do frequently bring these fluctuations so detrimental to the interests of an institution of this kind. Numerous other reasons might be adduced, showing the impolicy of government conducting a school of this kind, but they will present themselves to any one turning his attention to this topic. I would recommend, then, as the most successful plan, that this school be transferred to some one of the various missionary boards which are incorporated in accordance with legal requirements, and are therefore responsible for their transactions.

I am gratified that you have assured me that the number of pupils shall be immediately increased to fifty. This number we have ample room to accommodate, and the articles of clothing, bedding, &c., that they will need are being prepared as rapidly as we can obtain material.

Our family at present consists of myself, my wife, who is matron, Miss Martin, teacher of the day school, and three other young ladies, who assist in carrying on the housekeeping and sewing departments.

Allow me here, through you, to invite the attention of the bureau of Indian affairs to the necessity of appropriating funds for the completion and furnishing of this house with household furniture and school apparatus, as we have but little except bare walls. This, in view of the fact that the number of scholars are to be increased, becomes an immediate and imperative necessity. I would also suggest and respectfully urge upon your notice the utility of immediately purchasing for the exclusive use of the school a team of horses and wagon, also some farming utensils. Closely identified with this purchase is that of fencing a sufficient area of ground secure from the intrusion of vagrants and stock, to be cultivated by the pupils of the school.

A stable for horses and cattle is very much needed; the fact that there is none attached to the school is alone sufficient to show the necessity of there being one built. The reasonableness of these appropriations will at once be perceived when we reflect that it is the peculiar design of this enterprise to teach them to labor and to fit them for an efficient course of practical training to provide for themselves in life.

In the matter of teaching them to work with our present limited facilities, we feel sure of achieving the most complete success when these are enlarged. The girls are taught the arts of housewifery, while the boys perform all kinds of out-door work capable of being performed by boys of their age.

In conclusion, permit me to return you my cordial thanks for the interest you have constantly manifested in the welfare of this school, and also the thanks of those associated with me.

Yours, respectfully,

JOHN B. MAXFIELD, *Teacher.*

Major D. H. WHEELER,
United States Indian Agent.

No. 164.

PAWNEE INDIAN AGENCY, *August 31, 1865.*

SIR: In compliance with your request, I hereby submit the following statement of farming operations at this agency for the past year:

By reason of excitement and fear existing here during last summer and fall, caused by hostile raids of the Sioux Indians, we were unable to secure the usual amount of hay, and no fall ploughing was done.

Your predecessor, the last agent, anticipating as bad if not a worse state of things this season, thought it best not to put in any small grain, and accordingly none was sown. I planted twenty acres of corn, finishing on the 10th day of May. A considerable portion of this rotted in the ground, whether by reason of the quality of the seed or of the cold rains which fell soon after planting, I am unable to state. A larger proportion of it was destroyed by grasshoppers, which were numerous and destructive during the month of May.

I had commenced replanting what had failed and been destroyed, when the agent returned from Washington. He thought the season too far advanced, and the grasshoppers too numerous and destructive to justify replanting, and accordingly the crop was abandoned, and has not been cultivated. There will be but very little corn on the piece.

All garden vegetables were entirely destroyed by the grasshoppers. The Pawnees were short of seed corn in the early spring, but by reason of receiving a portion of their annuity in advance they were able to buy and exchange, so that they planted nearly the usual amount, and it was but little injured by the grasshoppers.

The season having been favorable, their crop is large. It is by far the best they have had since I have resided among them.

A portion of their beans and squashes, especially those earliest planted, were destroyed by the grasshoppers; still they have an abundance. In short, they will have plenty to carry them through the winter, and a considerable surplus to sell.

In accordance with your suggestion, I have taken down the old stables, (which were ready to fall down,) and rebuilt them in a substantial manner and a much more convenient form.

I have put up about twenty tons of good hay, and intend to increase the amount to seventy-five tons before the haying season is over.

Haying is somewhat slow and tedious from the fact of having to go so far for it; besides, grass is becoming more scarce and of poorer quality each year. In this connexion I desire to suggest to you the advantage of seeding down with tame grass a portion of what is called the school farm.

There is more land in this than can be profitably cultivated by the help now furnished the farmer; and the fifty-acre field situate on the banks of the Beaver affords a fine location and good soil for growing hay.

Very respectfully, your obedient servant,

CHARLES H. WHALEY,
Farmer for Pawnees.

D. H. WHEELER,
United States Indian Agent.

No. 165.

WASHINGTON, *February 11, 1865.*

SIR: I have to report that, in compliance with the suggestion made by me, and promptly acquiesced in by yourself, a company, consisting of eighty-seven of the best warriors of the Pawnee tribe of Indians, have been regularly mustered into the United States service for one year, and are now on the frontier assisting the white troops in its defence.

A large additional number of the same tribe have expressed a desire to enter the service as soon as the military authorities indicate that their services will be accepted.

Very respectfully, your obedient servant,

B. F. LUSHBAUGH,
United States Indian Agent.

Hon. W. P. DOLE,
Commissioner Indian Affairs.

No. 166.

PAWNEE INDIAN AGENCY, *June 6, 1865.*

SIR: I have this day effected a treaty of peace and friendship between the Pawnee Indians, through their principal chiefs, and the Kaw Indians, through a delegation of their chiefs, who are now here on a visit.

This is the last of the treaty tribes with which the Pawnees were at enmity, and I have hopes that the amicable understanding which has just been effected between the Pawnees and Kaws will be lasting and permanent, and that much good will result therefrom, not only to the Indians, but also to the government.

I herewith enclose a copy of the treaty referred to for the information of the department.

Very respectfully, your obedient servant,

BENJ. F. LUSHBAUGH,
United States Indian Agent.

HON. WILLIAM P. DOLE,
Commissioner Indian Affairs, Washington, D. C.

A treaty for the establishment of peace and restoration of friendship, made and concluded in grand council, at the Pawnee village, on the Pawnee reservation, in the Territory of Nebraska, on the fifth day of June, A. D. 1865, by and between the Pawnee nation and Kaw nation of Indians, represented by their chiefs, viz: Peet-ah la shah, or The man and the chief; Se-te-de-hah-weet, or The man to whom things are shown; Tu-re-kah-wah, or the Middle Chief; Le-tah-kuts-la-shah, or the Eagle Chief, on the part of the Pawnees; and Wah-ke-mon, or Flying Bird; Pah-hah-le-gah, or He that strikes first; Kra-scha-ru-tha, or The man that takes spotted horses, on the part of the Kaws, they being duly authorized and empowered by their said nations, witnesseth, that whereas hostilities have existed between the said nations for years past, to the great injury and loss of life and property to each, and that now we having been called together in grand council at the Pawnee village by our white father, Benjamin F. Lushbaugh, United States Indian agent, to whose friendly words of rebuke, warning, and advice we have listened, we, the chiefs, representatives for and on behalf of the Pawnee nation and Kaw nation of Indians, do hereby agree and ordain as follows:

First. That the hostilities which have existed between the said Pawnee and Kaw nations of Indians shall from this day henceforth and forever cease; that all the injuries inflicted and all the animosities which have been held by either toward the other shall be and are forgiven and forgotten, and that peace between the said nations, and relations of friendship between the members, each toward each other, shall be and are hereby established.

Second. That the representatives, parties hereto, do, on behalf of their nations, pledge themselves each to the other and jointly to their Great Father, the President, and to the government of the United States, faithfully to observe and obey the conditions of this instrument.

In testimony whereof, we, the said chiefs of the Pawnee nation and Kaw nation of Indians, duly authorized and empowered as aforesaid, hereunto set our hands and seals at the place and on the day hereinbefore written.

Done in triplicate.

Pawnees.

Peet-ah-lah-shah, or The man and the chief,	his x mark
Se-te-de-hah-weet, or The man to whom things are shown,	his x mark.
Ter-re-kah-wah, or The Middle Chief,	his x mark
Le-tah-kuts-la-shah, or The Eagle Chief,	his x mark.

Kaws.

Wah-ke-mon, or Flying Bird, his x mark.
 Pah-hah-le-gah, or He that strikes first, his x mark.
 Kra-scha-ru-tha, or The man that takes spotted horses, his x mark.

BENJ. F. LUSHBAUGH,
United States Indian Agent.

Witness:

BAPTISTE BAHALE, his x mark, *Interpreter for Pawnees.*
 BAPTISTE DERVIN, his x mark, *Special Interpreter for Kaws.*
 AR-TE-KETA, his x mark, *Principal Chief of Ottos.*
 CHARLES H. WHALEY.
 R. P. TATERILER.
 THOMAS ALFRED CREIGH.

No. 167.

OTTOE AND MISSOURIA AGENCY, August 7, 1865.

SIR: In accordance with instructions, I have the honor herein to submit this my second annual report of the affairs of this agency. The health of the tribe during the year has been good—but few deaths. The conduct of the Indians has been orderly, no trespasses having come to my knowledge during the year, except once or twice breaking into the trading establishment situated on the reservation. But few cases of intemperance have come to my knowledge. The season has been one very favorable for the growth of all crops cultivated by this tribe, and their efforts at agriculture have been most eminently successful. For statistical amounts I would refer to tabular statement herewith submitted.

I am pleased to report an improved condition of this tribe in their more fully adopting agriculture as a means of subsistence. They have planted more extensively and cultivated more thoroughly this season than usual. The failure to obtain a supply of buffalo in 1864 has made the necessity for this improvement apparent to their minds.

The Indians are to-day returning, having made another effort to kill buffalo, in which they have been very successful, and are bringing in all the meat and skins their facilities for transportation will permit. This, in connexion with their abundant crops, will render their condition comparatively good.

The entire lack of education in this tribe is much to be regretted, rendering their civilization and improvement very slow; and it is even doubtful if they can be induced to entirely give up the chase, their idle amusements, their superstitious religious notions, and adopt habits of industry and civilization without education. I would earnestly recommend for the consideration of the department the propriety of adopting some plan for the education of the children belonging to this tribe.

Excepting the usual restless, complaining disposition of all Indian tribes of my acquaintance, the Ottos and Missourias are contented and happy, and are at peace with the whites, no difficulty having occurred in their intercourse with the neighboring white settlements during the year, except the killing of one of their number by a citizen living near the south line of the reservation, by the name of Poor. This is claimed to have been done through fear, and has not been taken any notice of by the civil or military authority, owing to the general feeling of antipathy towards all Indians now prevailing among the whites, arising from the indiscriminate massacre of men, women, and children, near this place, on the overland stage route, by hostile tribes. The Indians have manifested no spirit of revenge.

The want of a proper understanding as to the exact locality of the north line of the reservation, referred to in my letter of 10th July last, is the cause of some trouble. The line should be properly surveyed, and so defined that no trespass by either whites or Indians need occur.

The treaty stipulation to furnish and pay a farmer to superintend the farming operations of this tribe was fulfilled, and the appropriation for that purpose absorbed, on 30th June last; and not having received instructions in answer to my letter of June 3, 1865, on that subject, I have indefinitely continued the services of the farmer, subject to the approval of the department, rather than assume the responsibility, in the midst of the cultivation of a very promising crop, to turn over the crop and property to the Indians, and inaugurate a new labor system at such a time.

It has been demonstrated by four years' experience at this agency that this soil and climate are particularly well adapted to the growth of spring wheat; corn has also succeeded well during the same length of time. Beans, with all other vine crops, have done well. Potatoes, beets, turnips, and all root crops have been less productive.

Most respectfully,

WILLIAM DAILY, *U. S. Indian Agent.*

EDWARD B. TAYLOR,

Supt Indian Affairs, N. S., Omaha City, N. T.

No. 168.

OTTOE AND MISSOURIA AGENCY, August 7, 1865.

SIR: In accordance with the regulations of the department, I submit herein my annual statement of the operations of the Ottoe and Missouri mills. You are aware that at the commencement of this year's business the mill was entirely useless, the boiler having given out about the first day of October. A new boiler was furnished, and about the 15th November the mill commenced business, and has, up to the present, continued in good running order. With the assistance of the miller, carpenter, and blacksmith detailed by your order to assist in this work, I have built a new engine-house, and an addition to the grist-mill, and have succeeded in sinking a curb through the quicksand, thereby securing a well, affording water entirely sufficient for use of the mill, the want of sufficient water having for several years materially hindered the operation of the mill. The amount of grinding for settlers has materially diminished within the year last past, owing to the erection of a grist-mill both at Marysville, fifteen miles below, and at Beatrice, twenty miles above this place.

Amount of sawing for the year	18,548 feet.
Amount of wheat ground for settlers	1,668 bushels.
Amount of wheat ground for Indians	1,739 bushels.
Amount of corn ground for settlers	600 bushels.
Total amount of grinding	3,007 bushels.

Total amount of toll wheat received and issued to Indians, 208 bushels; of corn, 150 bushels; and of wheat issued to the farmer, for seed, 70 bushels.

The operations of the mill have been conducted without serious accident to any person or any part of the machinery.

Respectfully, your obedient servant,

EBEN JORDAN,

Engineer and Supt Ottoe and Missouri Mills.

WILLIAM DAILY,

U. S. Indian Agent, Ottoe and Missouri Indians.

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No. 169.

OTTOE AND MISSOURIA AGENCY, *August 7, 1865.*

SIR: In compliance with your request, I have the honor to submit the following report in relation to the farming operations of this agency: The past season has been very favorable for wheat, and the breadth of about eighty acres, sown in wheat in accordance with your suggestion, has produced a most successful crop, and is secured in shock. As you are aware, the Indians all left the reserve, with a view to hunt buffalo, just before the wheat was ripe, rendering it necessary to employ white laborers to assist in harvesting in the crop. In estimating the yield per acre I feel very safe in placing it at twenty-one bushels, making, in the aggregate, sixteen hundred bushels. The corn crop, on the bottom land, amounting to about seventy acres, I regret to have to state is not as good as the fine rainy season would indicate. This partial failure on about twenty-five acres of the seventy, is attributable to injury by birds, cutworms, and being flooded by very heavy rains, rendering it impossible to cultivate the crop properly, and entirely killing all the replant. This piece of corn is estimated to yield thirty-five bushels per acre—two thousand four hundred and fifty bushels. The remaining one hundred and thirty acres under my superintendence, planted and cultivated in small lots by the several families, being upland, and the season wet, has produced a very heavy crop, estimated at fifty bushels per acre—six thousand five hundred bushels. Three acres sown in millet also produced a very heavy crop, say two and a half tons per acre—seven and a half tons.

I am pleased to be able to report that during the present season the Indians have manifested a much greater interest in agriculture than last, by planting their crops in better season and in much greater amount in their individual fields and patches along the creeks and river. It is impossible to state accurately the amount of land cultivated in this way, and its products, but from the best information accessible, it will, the present season, amount to one hundred and fifty acres. This land is planted in corn, beans, and pumpkins; one hundred acres in corn and beans yielding three thousand five hundred bushels of corn and five hundred bushels of beans; fifty acres in corn and pumpkins yielding one thousand seven hundred and fifty bushels of corn and *fifty tons of pumpkins*, notwithstanding their use by inexperienced Indians.

I take pleasure in reporting the farm stock and tools in a comparatively good condition.

Respectfully yours,

LEVI A. STEBBINS,
Farmer for Ottoe and Missouri Indians.

Major WILLIAM DAILY,
U. S. Indian Agent, Ottoe and Missouri Agency.

No. 170.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, April 28, 1865.

SIR: You have been appointed by the President of the United States agent for the Indians of the Upper Platte, in the belief that by your influence with their controlling chiefs, arising from your long residence among and intimate acquaintance with those Indians, an arrangement may be made with

them which will result in their withdrawal from the great route of travel across the plains to some locality agreed upon, where they will peacefully remain and cease their hostilities against the whites, and enjoy such provisions for their comfort and welfare as may be stipulated in their favor by the agents of the government. It is unnecessary for me to allude here to the outrages committed by these Indians upon the lives and property of settlers and travellers along the overland route, and to the retribution which has in some instances been visited upon the Indians, further than to remark that the continuance of this state of warfare will, in view of the strong military force provided for the safety of the route, only result in the annihilation of the Indians. In the hope that the measures already taken to bring these tribes to a sense of their real weakness may have induced in them a willingness to accept terms of peace, which will save them from destruction, you have been appointed to succeed Mr Loree, the late agent, and these general instructions are prepared for your guidance.

You are probably aware of the attempt made in 1863, under instructions from this department, by Governor Evans, to bring the chiefs of the Arapahoes and Cheyennes, and the Sioux of the plains, who are affiliated with them, to a general council, with a view to their withdrawal to the reservation provided for them in the treaty of Fort Wise in 1861. That attempt, after progressing for some time towards a favorable result, finally failed through the refusal at the last moment of the leading chiefs to come in, and the deplorable occurrences of last year were the result of the continued hostility of the Indians. The object of the government being to induce the hostile Arapahoes, Cheyennes, and Sioux of the plains to come in and accept terms of peace, this is the general object for which you are detailed. As to the particular time and manner of bringing about this desirable result, much is necessarily left to your discretion. I transmit herewith a copy of the treaty of Fort Wise, of 1861, as a general guide for you in the proposed negotiations, should you be successful in bringing the Indians to a council. The question as to whether they can be induced to consent to occupy the tract of country reserved by the treaty of Fort Wise, or whether some other reservation shall be made for these Indians, depends upon the disposition in which you may find the chiefs; but the basis of any arrangement must, in any event, be the consent of the Indians to relinquish absolutely all right to occupy that part of the country traversed by any of the great overland routes of travel, and to confine themselves within such other tract, limited and defined by metes and bounds, as will keep them from contact with the whites, and within which the stipulations to be made for their benefit may be carried into effect, and white settlements prohibited, except of government employes or licensed traders.

It is impossible at this time to make these instructions more specific. Great reliance is placed upon your experience with and knowledge of the Indians as to the course to be pursued and propositions to be made. The financial condition of the country imperatively requires that in any stipulations for the expenditure of money you should endeavor to limit that expenditure as much as possible consistently with the end in view; and in such stipulations care should be taken that the annual provision for the benefit of the Indians shall be made as far as possible in goods, clothing, agricultural implements, stock, &c.

Agreements to pay money will not be approved. If a treaty is made, it will be one of occupancy only—no title to lands will be acknowledged in the Indians of the country they abandon, nor will any be conferred upon them in the country they are to inhabit; but an article may be inserted providing that the whites will be excluded from settlement in the country assigned to them.

If you require any more specific instructions upon points which may occur to you before entering upon the duties herein confided to you, they will be furnished upon application to this office.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Acting Commissioner.

VITAL JARROT, Esq.,
Bellville, St. Clair County, Illinois.

No. 171.

CALIFORNIA CROSSING, NEBRASKA, *July 15, 1865.*

SIR: I take pleasure in acknowledging the receipt of your instructions of May 22, accompanied with the communication from Governor Evans, of Colorado, dated at Denver, May 1, 1865, also your instructions of June 12, 1865, accompanied with the copy of a letter addressed to Governor Edmunds, of Dakota Territory, upon the subject of a general concentration of the Indians. As I have been travelling for the last month, collecting all such information as might be useful to me in the proposed negotiation with the Indians, I did not receive the said communication till last evening.

I would proceed immediately to visit the camps of the Arapahoes and confer with those Indians there assembled with Friday, but General Connor informed me that they would be here in a few days, and I would do well to proceed with them to Kearney. When temporarily stopping at Fort Mitchell, and on the eve of starting to Fort Halleck, on the 3d of July I received a telegram from General Connor informing me that all the Indians heretofore congregated at Halleck and Camp Collins (excepting Friday's small band) had taken the war path. Thus situated, with no chief to treat with, I shall accompany the few Arapahoes and the few Sioux now with me to Kearney, and devote myself to prepare their minds for the future.

I have also telegraphed the authorities at Fort Kearney to stop the goods (supposed to be on the road) designed for the Indians of this agency, and store them at Kearney. I have done so to conform with the plans of General Connor, who has designated that place as the rendezvous for such Indians as may voluntarily come in, and for such prisoners as he may take. As those Indians will be there in the character of prisoners, without means of subsistence, I shall, until otherwise ordered, issue them full rations from such supplies as I shall receive.

In reference to the communication of Governor Evans, I would most respectfully remark that the Indians he proposed Agent Whitely to visit on Little Chug have left and joined the hostile bands. I may also add, that I am familiar with the country on Little Chug, and if my views are worth any consideration, Little Chug possesses none of the requisites to justify the selection of it as a place for an Indian reservation. In the first place, it lies between the two great roads to the west; lying between Laramie and the present mail route to Salt Lake, the distance not exceeding eighty miles. The Indians on this reservation would be constantly brought in contact with the emigration to the west, and would result in outbreaks of hostility. Secondly, the quantity of tillable land is so small that should every acre of land on said creek be put under cultivation and under the best possible tillage, it would not support one-half of the Arapahoes.

On this subject, in conclusion, I may say that, in consequence of the settlements now making in this far west, the necessity of keeping the Indians from

the main roads, and the discovery of gold in all our mountain ranges, no suitable reservations can be made except on the Missouri river. I might here close my letter, but, as the accredited agent of the government, I consider my duty to give such information to the government as I have come in possession of in relation to the cause of the present hostility of the tribes, Cheyennes, Sioux, and Arapahoes.

Two years ago the Indians manifested great dissatisfaction. They complained that whilst the buffalo were leaving their hunting-grounds, driven away by the emigration to the mines on many different roads, their annuities were not paid to them, as promised by the government. Last year many of them refused to come, alleging that the small pittance paid them would not compensate them for the injury done their horses. Those that did come, came to leave in worse humor, and not till after a great deal of persuasion were they induced to give receipts. The reason was, the agent made them give receipts for all the goods, assuring them that though he then gave them but a part of their goods, the balance would be delivered to them. Under such an understanding they signed the receipts certified by the interpreter. Subsequently the agent sold the goods; the Indians were cheated; and some young men commenced depredations (as Indian law) to get their rights.

These hostilities were at first committed only by a few, but the orders last year given to the emigrants by unauthorized subalterns in the army drove many well-disposed Indians to the war path, till finally blunder after blunder in our operations united them all in war. It is to be hoped, however, that, under the command of the able general now commanding, the Indians will be punished and brought to know that whilst our government is disposed to be humane and just to them, it will not tolerate them to massacre and rob for the wrongs inflicted on them by one or more individuals.

Very respectfully, your obedient servant,

VITAL JARROT,
United States Indian Agent.

Hon. W. P. DOLÉ,
Commissioner Indian Affairs.

ATHEISON, KANSAS, August 8, 1865.

SIR: In my communication of last month addressed to your predecessor I informed the department that I had had an interview with General Connor, and that he informed me that Fort Kearney was the place where he would send all the Indians of my agency whenever taken as prisoners or voluntarily coming on; that in a few days he would send for those congregated at Fort Halleck and Camp Collins. I accordingly proposed that I would myself go to Kearney and be with them. The general approving, I started from our place of interview (fifty miles from Laramie) to Julesburgh, there to await the arrival of the Indians. In a few days after, I received a telegram from General Connor, informing me that the Indians he proposed sending with me had all fled except Friday and family, (Arapaho.) I continued my journey to Fort Kearney, however, with two Sioux who had voluntarily come to me at Camp Mitchell. To my surprise, on arriving at Kearney the commander of the post (Captain Murphy) informed me that the Indians (some 20, mostly women and children) that had been sent there had been taken by an escort to the superintendent at Omaha, and from there shipped to the Yancottou village. He was not disposed to take charge of my two Indians, but advised me to take them to the superintendent at this place. Not being informed at that time of the change made by the department in the districts

of superintendent, I brought them here. It has been necessary to state all the above to let you know why I am here, and also to show you how difficult it is under the present state of things to dispose of such Indians as come into our hands. The first 20 are sent to Yanckton; Friday and family were sent to Denver; two more are here, and five recently come in are at Laramie. In view of these difficulties and the impracticability of navigating the Missouri river in winter, I am induced to propose to you to establish my agency on the Missouri river, within the bounds of the territory you described in your communication. I could go there with Friday and family, the two who are here with me, and the five at Laramie, and all such other Indians as may arrive before I could start. The distance from Laramie is between three and four hundred miles across to the Missouri. The great advantages resulting from such a move would be three: First, it would place the Indians who come into our hands at once at what is to be their future home; secondly, by beginning this colony this fall, there would in all probability be in early spring hundreds ready to engage to a small extent in agriculture; and thirdly, it would open a place for all friendly Indians to come to. The last reason of itself seems to me to be sufficient to recommend it to your serious consideration, for, let me assure you that there are among the Sioux and Arapahoes a large number friendly disposed, but who, like the loyal men in the south, were overpowered by the Cheyennes, and a number of their own nations; but they are afraid to come to the military posts on the Platte. They heard enough, whilst there, (for many understand a little English,) of the daily threats made not only by soldiers (privates) but frequently by officers, that "*none should be spared; all ought to be killed, men, women and children, and no quarters given.*" I have been frequently shocked at the barbarity advocated by our soldiers, and many of our officers. I state these facts not because I desire to reflect upon the army of the Platte, but I state them because they are facts, and facts known to the Indians, and, therefore, as a strong reason why the Indians, even those friendly, will not come in unless some other opportunity is offered them than there is now. Of course I should not expect the department to authorize me to make the proposed move without the approbation of the commanding general, but I have no doubt of his approval. Some 200 troops would be sufficient to make the expedition safe. Some of this proposed Indian territory being Sioux lands, would preclude the necessity of consulting any other tribes. Another fact of which the government should be advised, the Sioux have no recognized chiefs, and consequently no treaty can be made with them till they are induced to select such men to act for them; each faction, Brulés, Agolalas, Corn band, Miniconjous, &c., should be induced to elect a chief, who would be empowered to act for his respective band. I shall remain here some ten days, resting my animals, before I return to Laramie. In the mean time should you approve of my proposal, I should like to take three men, farmers, from here, who could be employed in making rails, fences, &c. this winter, and be on hand early in spring to plough; also I should take some seeds, which would require earlier planting than the arrival of boats there. Should you write to me at this place, address to care of Thomas Murphy, esq., superintendent of Indian affairs, at this place, who will be advised of my moves.

By your circular of July 27, 1865, the agents of the different tribes are required to make such suggestions as they may deem beneficial to them. It is in that spirit that I have made the foregoing proposition, which I recommend at least to your consideration.

Most respectfully yours,

VITAL JARROT, *Indian Agent.*

Hon. D. N. COOLEY,

Commissioner of Indian Affairs.

GREEN BAY AGENCY.

No. 173.

UNITED STATES INDIAN AGENCY, APPLETON, WISCONSIN,
September 25, 1865.

SIR: Herewith I submit my fifth annual report as agent for the Indians residing in the vicinity of Green Bay.

STOCKBRIDGES AND MUNSEES.

The present locality of this tribe in township No. 28, ranges Nos. 13 and 14 east, is very unfortunate, as the land is worth but very little for farming purposes. The reservation is mostly heavy timbered with pine, hemlock, beach, birch, poplar, tamarack, cedar and maple. The soil is cold, stony, and subject to frosts during the summer months. The reservation is only valuable for its pine timber.

A majority of this tribe will not remain on their reservation. On taking the census two weeks ago, only 149 of the 338 members were on the reserve. The majority go to the settled towns fifty or sixty miles in the south, where they can obtain employment and secure a better subsistence than on their present reservation. I have called the attention of the tribe to the provisions of sec. 4, chap. 127, U. S. Statutes, 1865, extending the provisions of the homestead act, free of charge, to the heads of families. I have already communicated to you the results of a general council, called to consider the provisions of the above section. I have no doubt that a large majority desire to retain their present form of tribal organization, but I think if the government should treat with them for their present possessions, one-fifth or one-sixth of them would dissolve their connexion with the tribe, with a view to becoming citizens. The tribe wish to sell out where they are, and, if possible, obtain a new home among the tribes of the southwest. About the middle of March last the small-pox made its appearance on this reservation. There were 36 cases, and five deaths from this disease. With this exception there has been but very little sickness among them during the year. Soon after this infection made its appearance, nearly all who had not had the small-pox were vaccinated. The school was interrupted by this sickness for two or three months. The children have made good progress in their studies, while the school has been open. The teacher, Mr. Slingerland, is a member of the tribe, and has long served them as an instructor. In addition to his teaching he has served them as a preacher most of the time during the year. For the details in regard to the school I refer you to Mr. Slingerland's report. Of the members of this tribe, forty-three have enlisted in the military service during the late rebellion. Their agricultural products the present year are estimated as follows: Wheat, 20 bushels; corn, 975 bushels; rye, 247 bushels; potatoes, 2,405 bushels; hay (tame) 24½ tons; millet, 22 tons.

About one year ago the pine on four sections in the eastern township was burned so as to destroy the further growth of the timber. In compliance with instructions from Commissioner Dole I sold the merchantable timber in this burned district at seventy-five cents per thousand feet for stumpage, board measure. I estimate eight or nine millions feet in the burned territory. A large proportion of this will be removed next winter.

Again I express the hope that, as soon as it shall be found practicable, this tribe may have an opportunity to sell its present possessions and obtain a new home, better adapted to its wants. The Stockbridge Indians are good farmers, and their women are good housekeepers, and there would be no difficulty in raising their own subsistence if they were located on good agricultural lands.

ONEIDAS.

There is no lack of good farming land on the Oneida reserve, the extent of which is about 61,000 acres. Originally this territory was covered with a heavy growth of pine and hard-wood timber, but most of the timber of any value has been removed. For many years there was a saw and shingle mill on the north end of the reservation, but these mills, which the chiefs of the tribe had leased to a white man, were burned about three weeks ago. The same man who had leased these mills has built a flouring mill at the same location within the last year. Most of the buildings on the reserve were constructed from twenty-five to thirty years ago, and at present many of them present a dilapidated appearance.

There are several good farmers in this tribe, but a large majority of them are decidedly shiftless. It is very seldom that they remove the manure which accumulates about their buildings. If boards or doors happen to get off their barns, there is not more than one in four, among the farmers, who would be found nailing on boards the second time, or putting a fallen door in its place. About the same proportion among them crop their fields until they are exhausted, and then turn them out to commons for a few years. Many of these Indians neglect farming pursuits, and employ much of their time in cutting the most valuable timber they can find, and hauling it to Fort Howard and Deperre for sale. The best men among them desire to have this traffic stopped, but as their lands are all held in common, I know of no way to prevent it. A majority of the chiefs have repeatedly asked to have their lands surveyed and allotted. Without laws for the punishment of crimes, or protection of property, and with no allotment of lands, progress in civilization is quite impossible. The surroundings of this tribe are such as to prevent any substantial progress in civilization. There are individual exceptions to this rule, but as a whole they are making no progress. The chiefs are powerless to protect or restrain, by any rule or decree which they may pass. These Indians are civilized sufficiently to become subject to the same laws as citizens of the State. The small-pox appeared in this tribe about the middle of last winter. There were 43 cases and 15 deaths from this disease.

The schools, which have been taught by competent and efficient teachers, were interrupted by the prevalence of this infectious disease. There are but two school-houses on the reservation, which accommodate only about one-fourth of the children of school age. The average attendance in these schools is small, but those who attend school constantly make very good progress in their studies. The Protestant Episcopal Missionary Society have placed seven hundred dollars in the hands of Reverend Mr. Goodnough, the teacher at the Protestant Episcopal mission, for the purpose of enlarging the school-house at that mission. The addition to the house will be completed this fall. This will more than double the capacity of the school-room at this mission. There ought to be at least five schools on this reservation to accommodate the school children.

Since the commencement of the late rebellion, one hundred and eleven (111) of the Oneidas have enlisted in the military service of the United States.

The agricultural products for the present year are estimated as follows:

Wheat, bushels.....	4,727
Corn, bushels.....	5,103
Rye, bushels.....	842
Oats, bushels.....	7,000
Beans, bushels.....	59

Peas, bushels.....	378
Buckwheat, bushels.....	62
Potatoes, bushels....	6,260
Turnips, bushels.....	45
Tons of tame hay.....	511
Pounds of sugar made.....	2,260

The Oneidas have sufficient lands already cleared for cultivation to quadruple the present products. On the western side of the reservation there is a heavy growth of sugar maple, where they could manufacture 12 or 18 tons of sugar annually, with very little effort.

MENOMONEES.

The location of this tribe is anything but favorable for farming purposes. The reserve contains ten townships, or 230,400 acres. A considerable portion of the land is sandy, supporting only a stunted growth of black oak. There is a small proportion of timbered land, which, when cleared up, will produce fair crops. When the Menomonees first went to this reservation, all the fields were made on the light soil. I have urged them to abandon their old sandy fields and go into the timber. Most of the members of one of the principal bands have gone to the timber and commenced their improvements.

In consequence of these Indians having instructors in farming, milling, blacksmithing, &c., they are constantly improving and rising in the scale of civilization. They would soon become good farmers if they had good farming lands to till; but the entire reservation is almost utterly worthless for farming purposes.

Religiously the Menomonees are divided into pagans and Catholics; the former constituting one-third, and the latter about two-thirds of the tribe. The conduct of the Catholic missionaries sent to these Indians since they came under my charge has been such as to degrade rather than to educate them. Every priest sent to this mission for the last four years has been a constant disturber of the peace in the tribe, and a continual source of annoyance to agents and employes. One demands that the agent shall retain a sufficient amount of the annuity to pay his claims, regardless of any instructions from the Indians to whom the annuity belongs. Another insists that the agent must see that the pay of the priest is as secure as the salary of any employe; and another calls upon the agent to pay his demands out of any Indian funds on hand. When these demands are not complied with, the priests improve every opportunity to create a distrust towards all employes. They have all left the reservation, preparing large claims against the Indians. In some instances the Indians have asked me, as a friend, to examine into the justice of these claims, and when I have complied with this request I have found that the priest had been paid double the amount which was due. The system by which money is obtained from these Indians for various church services is unjust in the extreme. Many of the Indian women who have had a husband or a son in the army have paid their last cent to the priest for saying mass for absent friends, while the family at home would suffer for the necessities of life. During the entire month of May, when the Indians should have been busy in getting their crops into the ground, the priest held meetings at the church, occupying the whole day. The consequence was that most of the crops were put in too late.

The teachers on this reservation are very intelligent members of the Catholic church, and from the fact that they were intelligent, and clearly comprehended their duties, the priest has interfered with their department

most seriously. Some time in January I called upon the bishop and asked him to recall the priest he had sent to the Menomonees. In reply he said that he was to visit the mission during the season, and he wished to have him remain until he could see him there. I assented to this request of the bishop, and the priest might have remained had it not been for his conduct when the small-pox made its appearance in this tribe. This disease made its appearance about the 20th or 25th of May. Those who died were taken into the church by the priest for funeral services, as they would be in case of death from any disease non-infectious. Services were held over the dead in presence of seventy-five or one hundred Indians. The disease spread rapidly, and when I reached the reserve on the 1st of June there were nearly one hundred cases. At first the priest refused to desist from taking the dead into the church publicly, and finally defied all authority except such as he should receive from the bishop. He was arrested by the sheriff of the county, and left the Indian country the next day after I arrived. I at once closed the stores, schools and shops, and employed a physician to vaccinate the Indians remaining on the reserve.

When the small-pox broke out in this tribe, a large number of families left their country for the wilderness in the north. About eight hundred Indians were vaccinated. There were about one hundred and fifty cases and seventy-nine deaths. The cases were nearly all among the Catholics. The disease disappeared from the reservation about the 1st of August.

These Indians received their semi-annual annuity the middle of August.

Although last winter was very long and severe, none of the stock on the reserve died for want of subsistence.

Under my instructions the farmer has employed his time in helping such families as most needed assistance in getting in and taking care of their crops. The farm products of the present year are estimated as follows : Wheat, 150 bushels; corn, 1,600 bushels; rye, 550 bushels; potatoes, 3,975 bushels; oats, 400 bushels; beans, 50 bushels; hay, cut, 200 tons. This is all marsh or wild hay. I estimate the sugar made at 90,000 pounds, and the value of the furs taken during the year at \$8,000.

Owing to the appearance of small-pox, the schools have been suspended during the summer months. The teachers are entirely devoted to their labors, and the scholars who attend school make most excellent progress.

As will be seen by the report of the miller, the old saw-mill frame is quite decayed, and will have to be removed to give place to a new one. The new grist and flouring mill is completed, and is in good order for business. The miller has sawed the necessary timber for a new frame for the saw-mill, which can be put up without employing any but Indian labor. There is a stock of logs on hand, at the mill, sufficient to supply the Indians for one year and a half.

On the last of March the blacksmith resigned, and no white man applying for the place, I appointed a Menomonee, who had served as striker. Thus far he gets along very well with the work.

Since the beginning of the war one hundred and twenty-five Menomonees have enlisted in the United States service; of this number, full one-third were killed in battle or died in hospitals. Nearly all those who are alive have recently been mustered out, and are now returning to the reservation.

Several of the Indians, under the influence of whiskey, have committed crimes off the reservation. Intoxicating drink is the cause of nearly all crimes committed by Indians in this agency. Recently several parties have been indicted in the United States circuit court for engaging in the liquor traffic with Indians, but the cases have not yet been brought to trial. A few convictions in the United States courts would essentially put a stop to the traffic in this State.

Recently I have discovered a trespass on the pine on the east side of the reserve. I have just had a surveyor run the line, and he reports the line of trees cut, and estimates six hundred thousand feet of pine cut and removed from the reservation. I shall immediately call the attention of the United States district attorney to this matter, and see that the trespasser is prosecuted to the extent of the law.

I have the honor to be your obedient servant,
M. M. DAVIS, *U. S. Indian Agent.*

Hon. D. N. COOLEY,
Commissioner Indian Affairs, Washington, D. C.

No. 174.

KESHENA, *September 11, 1865.*

SIR: In accordance with my duty, I respectfully submit the following report of the primary school under my charge:

Since my last report the school was in regular operation until the time of sugar-making, when the pupils left, with their parents, for the sugar camps. In May our schools were opened again, but had to close them on the twenty-sixth of the same month, in consequence of the prevalence of small-pox on the Indian reservation. They remained closed until the fourth of this month, when, by your directions, we have resumed teaching.

The whole number of scholars that attended school was fifty-eight—thirty-three boys and twenty-five girls; Christian children, twenty-two; Pagans, thirty-six; their age, from fourteen to five. The school has kept its numbers well, although losing some by reason of an influence, with which, respected sir, you have already been informed. The studies pursued were as follows: spelling, reading, writing, arithmetic, and geography. Some study spelling and reading only. The youngest ones are in the alphabet.

As usual, the scholars gave satisfaction in school by their good behavior and close attention to their studies, and have made commendable improvement.

Very respectfully,

ROSALIE DOUSMAN.

Hon. M. M. DAVIS, *U. S. Indian Agent.*

No. 175.

KESHENA, *September 11, 1865.*

SIR: Since my last annual report the number of scholars who have attended my school is forty-two, of which twenty-six were boys and sixteen girls.

During the year the school met with some obstacles and interruption; consequently, its general progress was slow, yet many of the scholars made commendable advancement in their respective studies.

Last fall the erysipelas prevailed among the Menomonees, which proved fatal to many, and in May the small-pox broke out among them to a fearful extent, which obliged us, on the twenty-sixth of the same month, to close our schools. Besides this unavoidable hindrance to the educational and moral improvement of the Menomonee children, the school had to contend against the influence of our priest, who, unfortunately, underrated the value of education. The school remained closed until the fourth of this month, when, by

your direction, I resumed teaching. I have twenty-five scholars attending school at present. The larger ones are kept at home for a while to work; some are moving down the river to harvest wild rice, and others for cranberries. All will return to their studies when their work is done.

Books used in school are the same as mentioned in my last report.

Respectfully,

KATE DOUSMAN,
Teacher, Menomonee Reservation.

Dr. M. M. DAVIS, *U. S. Indian Agent.*

No. 176.

KESHENA, *September 11, 1865.*

SIR: You are aware that the small-pox compelled us to close our school in May, and it could not prudently be resumed until this month; consequently, the work done in my school will not compare with that of the year previous. The school continues to be attractive to scholars, contributes to their comfort, and gives general satisfaction.

The number of articles made during the year is two hundred and forty-six: coats, twenty-six; pantaloons, seventy; shirts, forty-two; dresses, thirty; skirts, thirty-nine; gowns, thirty-nine; socks, one pair; stockings, one pair.

When school closed in May I distributed twenty-five articles of clothing to the needy and sick of the Menomonees, hoping that it would meet your approval.

Respectfully,

JANE DOUSMAN, *Sup't Sewing School.*

Hon. M. M. DAVIS, *U. S. Indian Agent.*

No. 177.

MENOMONEE RESERVATION, *September 18, 1865.*

SIR: Herewith I submit my first annual report as farmer for the Menomonee tribe of Indians. Following your instructions, I have employed my time in helping such Indians as were trying to help themselves. The absence of many Menomonees in the army has caused quite a scarcity of laborers, and therefore the farming has not been as extensive as in former years.

The month of May is the time to put in most of the crops, but, for some reason which I cannot explain, the Catholic priest sent here as a missionary had meetings every day during that month, when the Indians should have been getting in crops. The meetings were held all day, and it was impossible to get the Indians who ought to be at work to do anything. I refer now to the Catholic Indians. The few farmers among the Pagans have done very well. While the priest was holding his meetings the small-pox broke out among the Indians. Many of them have died. This disease prevailed among them for about two months. Not much attention to farming during that time. The great amount of rain this season has made the hay marshes very wet, and the hay crop light. I fear there will not be enough to winter the stock. Some also which was planted very late is a very light crop. Very little wheat was sown. Rye was a fair yield; potatoes are a good

yield; oats are also good. Those Indians who have given up their sandy fields, and have gone into the timber to make farms, are doing very well. I am trying to persuade the Indians to open farms on the high ridges, or in the timber. Two bands have nearly all gone into the timber, where they are getting good fields, although they are small.

Respectfully, yours,

SAMUEL A. MILLER, *Menomonee Farmer.*

Hon. M. M. DAVIS, *Indian Agent.*

No. 178.

MENOMONEE RESERVATION, *September 18, 1865.*

SIR: Herewith I submit my fifth annual report as miller on the Menomonee reservation. The grist-mill which I commenced for the Menomonees in the summer of 1863 was completed last fall, since which time it has been in good running order.

You are aware that the saw-mill, or rather the frame of the saw-mill, is quite old and decayed, having been put up more than 20 years ago. I have kept it in as good repair as I could, but it won't pay to repair it any more. There should be a new foundation put in as soon as next summer, otherwise the whole frame will go down.

As you have instructed me, I have sawed out the timber for the new foundation; so everything is all ready to build, if the old frame should go down.

Since my last report I have repaired the bridges above the mill, and I have sawed 300,000 feet of lumber.

On account of the drought, there was but little grain raised in this section of the country last year. I have ground at the mill 2,756 bushels, including all kinds of grain.

Very respectfully, yours,

EDWIN R. MURDOCK, *Menomonee Miller.*

Hon. M. M. DAVIS,
United States Indian Agent.

No. 178½.

KESHENA, MENOMONEE RESERVATION,
September 25, 1865.

SIR: In compliance with instructions, I respectfully submit my first annual report as Menomonee blacksmith.

Since I have taken charge of the blacksmith shop, which was the first of April last, I have made 105 fish-spears, 55 hunting knives, 70 bark and buckskin awls, 74 fire-steels, 9 half-axes, 8 rings for spike-holes for saw-mill, 4 grub-hoes, 100 wedges for scythe-snaths, 20 iron bolts for wagons.

I have also repaired 88 guns, 48 kettles, 47 traps, 31 ox-chains, 24 wagons, 4 log-hooks; ironed 2 sets of whiffletrees, 14 wagon-boxes; repaired 6 ploughs, 18 grain-cradles, 15 hoes, 8 hay-forks; welded 10 axes, soldered 20 tea-kettles, and made 48 tooth-rakes.

I have had a striker during the months of June, July, and August.

Very respectfully, yours,

PAH-SHETO, his + mark,
Menomonee Blacksmith.

Hon. M. M. DAVIS,
United States Indian Agent.

No. 179.

KESHENA, SHAWANO COUNTY, WISCONSIN,
September 13, 1865.

SIR: The school among the Stockbridges and Munsees, near Keshena, still maintains its onward course. Though nothing remarkable may be reported, still an improvement continues, which lays the foundation to make this an intelligent and reading people. The teacher finds it somewhat difficult to advance scholars far in their studies, owing to the unsteady attendance during school years, and of the scholars ceasing to come at about 12 or 14, an age at which progress would be more rapid, because of the more mature understanding and better appreciation of education. During last winter the school was composed of 18 boys and 9 girls, with an average attendance of 18. These were doing well in the common school studies—reading, writing, spelling, geography, and arithmetic, until the month of April, when the small-pox made it necessary to suspend the school, with your approbation. But as soon as it was safe and wise, the school was re-opened, in the first week in August, and has been continued since without interruption, with 22 scholars—15 boys and 7 girls. Two of the larger boys and one of the girls have completed Cornell's Intermediate Geography, and are now in Brown's Grammar and Comstock's Natural Philosophy, in which they are making commendable advancement. You will perceive that the number of our children reported is less and less. This is owing to the removal of some families who must seek a living elsewhere.

Respectfully submitted.

JEREMIAH SLINGERLAND, *Teacher.*

Hon. M. M. DAVIS,
U S. Indian Agent, Appleton, Outagamie Co., Wisconsin.

No. 180.

ONEIDA INDIAN RESERVATION, *September 16, 1865.*

SIR: In accordance with instructions, I herewith enclose to you my first annual report of the Methodist Episcopal mission school.

The school has been in session ninety-five days. Small-pox prevented having school some two months of the winter term. The children who attended regularly made good progress. Number of scholars in attendance, sixty-three; male, thirty-eight; female, twenty-five; average attendance, eighteen. The branches taught were reading, spelling, and arithmetic.

Yours, respectfully,

J. HOWEL, *Teacher.*

Hon. M. M. DAVIS,
United States Indian Agent.

No. 181.

ONEIDA, WISCONSIN, *September 22, 1865.*

SIR: I have to report that the Protestant Episcopal mission school commenced on the 10th day of October, 1864, and continued in session, with the usual vacations, up to the 22d day of September, 1865. The attendance has been good, and the progress of the children in their studies fair. The common English branches have been taught.

A female teacher has recently been employed, being paid with funds furnished through the missionary society of the Episcopal church. A building is now being erected especially for the female department, with funds furnished through the same society. The new building is 20 by 32 feet, and will be, when finished, convenient and commodious. The estimated cost of the new building is \$750—\$397 of which has already been expended. The whole number of days taught is 141; whole number of scholars, 84, of which 53 were males and 31 females. The average daily attendance is a small fraction over 19. All of which is respectfully submitted.

E. A. GOODNOUGH, *Teacher.*

Hon. M. M. DAVIS,
United States Indian Agent.

No. 182.

UNITED STATES INDIAN AGENCY,
Appleton, Wisconsin, June 24, 1865.

SIR : Herewith I enclose a call for subsistence made by me upon the officers of the Stockbridge and Menomonee tribes of Indians. I have no doubt that they are in need of some subsistence, but I have no funds with which to make a purchase. Is there not some annuity or interest now due with which their present want may be relieved ? * * * *

I have the honor to be your obedient servant,

M. M. DAVIS,
United States Indian Agent.

Hon. W. P. DOLE,
Commissioner Indian Affairs, Washington, D. C.

KESHENA, SHAWANO COUNTY, WISCONSIN,
June 19, 1865.

DEAR SIR : The undersigned, sachem and counsellors of the Stockbridge and Munsee tribe, would respectfully state to you, briefly, that it becomes our duty to send this application for provisions, as our provisions purchased by you for us some time since is exhausted, and we are at a loss what to do. Our crops look very promising thus far, which will confine us at our homesteads in order to raise something to sustain life in time. Our people are also not at liberty to pass through the town of Shawano under resolutions of the board of health of said town. We thereby cannot seek employment elsewhere in order to obtain the common necessities of life.

We would now respectfully ask our agent to obtain for us thirty barrels of good flour and ten barrels of mess pork at as early a day as possible, that we may not suffer any longer.

We wish to suggest that our friend Mr. C. M. Upham has made an offer to us of thirty barrels of flour, which he would let us have by your approval. Will you please let us hear from you as soon as you can make it convenient, and will much oblige your friends.

DARIUS CHARLES, *Sachem.*
SOLOMON DAVIDS,
AARON KUNKAPOT,
ZIBA T. PETERS,
JOHN T. HENDRICKS,
Counsellors.

Hon. M. M. DAVIS,
United States Indian Agent.

No. 183.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
July 5, 1865.

SIR: I have to acknowledge the receipt of your letter of the 24th ultimo enclosing an application of the Stockbridge and Munsee Indians for subsistence, and also an account of Dr. Charles Barrows for vaccinating Indians.

The only funds now applicable to the Stockbridges and Munsees is the sum of \$243 60, being interest due them on an investment of \$6,000, under treaty of September 3, 1839, as "a permanent school fund." For this I have this day caused a requisition to issue in your favor, under your bond dated August 6, 1861.

The treaty provides that this interest shall be paid "to the sachem and counsellors" of these tribes, "whose receipt shall be sufficient voucher therefor." After it has been paid to them, this department does not assume to direct in what manner they shall expend it. * * *

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner.*

MOSES M. DAVIS,

United States Indian Agent, Appleton, Wisconsin.

CHIPPEWAS OF THE MISSISSIPPI.

No. 184.

CHIPPEWA AGENCY, August 22, 1865.

SIR: On the 8th instant I returned from a visit to the Indians of this agency located at Leech lake, Cass lake, Red lake, and Ottertail lake, having travelled a distance of nearly five hundred miles on the round trip.

On the trip I took occasion to examine the country through which we passed, to satisfy myself of the best place on the Indian reservation for the location of the new agency buildings to be erected for the common use of the Mississippi, Pillager, Lake Winnebagoishish, Red Lake and Pembina bands of Chippewa Indians. There is no one locality on the new reservation of the Mississippi Indians where they could all be settled in a body, on account of the small tract of good land in the vicinity of lakes, sugar-maple and rice fields, from which they obtain their living in addition to what they obtain from their small gardens and their hunts. It will therefore be necessary to remove the Mississippi Indians to different points on their new reservation. From what I have seen and can learn of their country, I would recommend the following mentioned places as best adapted to the future settlement of these Indians, viz: At Oak Point, Lake Winnepeg, Long lake, and on the north shore of Leech lake.

In this connexion I would refer you to the enclosed letter of George Bonga, who has lived in the Indian country for many years, and whose views on matters connected with the improvement of the condition of the Indians are entitled to consideration.

By reference to the map, you observe that Leech lake is the most central and accessible point to the above-mentioned places; and as a large portion of the Pillager Indians are located at this place, I would recommend the location of the new agency buildings on the south side of Leech lake, to which point a good wagon road can be built. To reach the other places mentioned I would recommend the construction of a small steamboat with which arti-

cles could be conveyed to each point by going down the Leech Lake river and up the Mississippi to Lake Winnepeg, and Cap and Long lakes. By the expenditure of some three thousand dollars, a good passable road can be constructed from the north shore of Leech lake to Red lake, by which the cost of transportation to that place would be much reduced.

Should my views as expressed above meet with the approval of the department, I would ask that I be instructed as follows:

1st. To locate the new agency buildings, provided for in the 4th article, treaty 7th May, 1864, at Leech lake.

2d. To make a good wagon road, with all the necessary bridges, to the new agency, and also to construct a small steamboat to run between Leech lake and the other points mentioned, provided the whole amount expended shall not exceed the amount appropriated for the building of road, bridges, &c., to new agency, per 4th article treaty 7th May, 1864.

3d. To contract for the clearing, stumping, grubbing, breaking and planting, except planting in lots of not less than ten acres, provided the cost shall not exceed twenty-five dollars per acre, as follows: For the Gull Lake band, twenty acres at Leech lake; for the Rice Lake band, twenty acres at Long lake; for the Pokegama band, fifty acres at Oak Point; for the Rabbit band, forty acres at Lake Winnepeg; for the Sandy band, twenty-five acres at Lake Winnepeg; for the Sandy band, twenty-five acres at Oak Point.

4th. To build or contract for the erection at the new agency one dwelling-house for the agent, one for the physician, two for the carpenters, two for the blacksmiths, two for the farmers, one for the interpreter, one for the engineer, one school-house, two warehouses, one blacksmith shop, one carpenter shop, and two stables, all of which buildings, except shops and stables, to be enclosed on three sides with good substantial stockade, provided the entire cost of buildings and stockade shall not exceed the sum of twenty-five thousand dollars, as per 4th article treaty 7th May, 1864.

I send you herewith a rough plan of buildings and stockade above referred to, for your approval.

The dwelling-house to be built of wood, either of hewed logs or frame, to be clapboarded on the outside, lathed and plastered on the inside, and each house to be partitioned off into rooms of convenient size; the houses to be covered with a good board and shingle roof, and to be well built; each dwelling-house to be one and a half stories in height, except the agent's house shall be two stories in height.

The shops and warehouses to be built of hewed timbers and covered with a good roof.

All of the buildings to have all necessary doors, windows and chimneys.

Hoping that suggestion in reference to the foregoing matter will meet with the approval of yourself and the honorable Secretary of the Interior,

I remain, most respectfully, your obedient servant,

EDWIN CLARK, *U. S. Indian Agent.*

Hon. R. B. VAN VALKENBURGH,

Acting Com'r Indian Affairs, Washington, D. C.

No. 185.

LEECH LAKE, August 19, 1865.

SIR: Since your trip to the Red lake country, I presume you are convinced of the impracticability of removing the Mississippi and Mille Lac bands to that part of the country. It appears to me that one of the many obstacles is that the land that would be most suitable to place Indians on is outside of

their reservation. Even if it was on their land, there is not enough of good land to accommodate so many Indians, (I mean the Rice Lake country.) Another objection, which is of much importance to the Indians, is, there is no sugar trees within 90 or 100 miles of the above country; only at one lake there might be sufficient for five or six families. There is another great item which must not be overlooked; that is, there are no rice fields in that country, or lakes where they can make a fall fishing, upon which they depend a great deal for their winter support.

It is now full thirty years since the government and missionaries have been trying in every way to get these Indians to adopt in some way the habits of the white man, but all their efforts have been to no purpose. As a general thing, the Indian will rather let himself starve and perish before he will cut down trees and grub roots, and plough the soil, whereby he could get a good living. There being but very little game in that country, how is the Indian to live in such a country after he has eaten up his six months' provisions which he will be allowed by the treaty? I have always noticed that it is ten, I might say twenty times more difficult to remove Indians than it is to make treaties with them. There must be taken into consideration the great ignorance of the Indian: he never travels much outside of the country he hunts on. Many of them are perfectly ignorant of any other part of the world. Hence his reluctance to leave the place he has lived on all his life, and the graves of his parents and his children. Should the government determine to remove the Indians to the above country, pardon me if I say it is my candid belief that it will require many soldiers to drive and keep them there. The country is such that it would be difficult for soldiers to travel in without a very large outlay of money. Permit me to ask, why not take an easier task to remove these Indians to other parts of their new reserve, whereby all the Indians would be satisfied? I will take the liberty to suggest, say, place the Pukgamaun and part of the Sandy Lake band at Oak Point. I say part, for many of those Indians are related with other bands which they would prefer to go with to places that I will mention herein. There is more good land at that point than they will ever cultivate, and plenty of sugar trees near at hand, and a pretty good place for fish. Many of them have been living there for these several years past.

The Rabbit Lake band could be placed at Lake Winnipeg. They would have the benefit of one of the best lakes for fish in the country, and all the sugar trees they could use. They could not help but be contented at this place. The Gull Lake Indians, many of them, are related with the Indians of this lake, and I presume would be glad to be removed to this place. There is plenty of unoccupied good land here—more than would be required for that band—without exception the best lake for fish in the country, not occupied by the Indians of this place, and more maple than they would want.

The Rice Lake band, and the few that are to be called the Mississippi band, (I mean those that straggle about Crow Wing and below,) could be removed to Long lake, a few miles above Cass lake. They, too, are closely connected with the Cass Lakes, and I feel confident that they would all be glad of the chance of living near neighbors. In conversation with the Cass Lake chief a few days ago, he told me there was a large tract of maple land at Long lake, and one of the best places for fall fishing that he knew of. It is my impression that many of the Sandy Lakes would like to be removed to the last-named lake.

It is almost unnecessary for me to say that the Indians would have rice fields near at hand at all the places that I have mentioned. The only trouble in the way, that I can see, why the Indians should not be removed to the places that I have mentioned is, that the land at these places is thickly

wooded, (most of it is maple, oak, and elm,) and, of course, would cost a good deal more to clear and grub, according to the treaty.

Your trip through the country has enabled you to form a good idea of the distances. A glance of the map will show you that this is the most central point for all the Indians, except the Mille Lac and Pembina bands. As I am no trader, I can have no interest in my suggestions only for the good of the Indians and all the frontier inhabitants. I omitted to say, in regard to the Mille Lac Indians, if they could exchange the northwest corner of this new reserve, and could occupy White Earth and the lakes surrounding it, to the Lake of Height-of-land, I consider that country the best of any that I know of.

With much respect, yours, &c.,

GEO. BONGA.

Major E. CLARK.

No. 185½.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., September 9, 1865.

SIR: I have to request that you will inform Mr. Clark, the agent for the Chippewas of the Mississippi, Red Lake, Pembina, &c., that he may grant licenses to more than one person to trade with each tribe or band of Indians in his agency, provided they conform to the requirements of law and the rules and regulations of the Indian Bureau, and direct him, in all cases, to inform the traders that he will pay all annuities to the Indians in person, and in no case to aid them in the collection of debts contracted with the Indians, further than to advise them to be honest and upright in their dealings with each other and with all men.

You will also require him to adopt the most effective measures to prevent the introduction and sale of liquor to the Indians, and to exercise such personal surveillance over the intercourse of the traders with the Indians as will prevent them from charging and receiving exorbitant or unreasonable prices for their merchandise, or from obtaining what the Indians may have to sell them at less than its fair value, and to be in all things, what it is designed he should be—the guardian of the rights, interests, and welfare of the Indians whom the government has committed to his care.

I am, sir, very respectfully, your obedient servant,

JAMES HARLAN, *Secretary.*

The Hon. COMMISSIONER OF INDIAN AFFAIRS.

CHIPPEWAS OF LAKE SUPERIOR.

No. 186.

DEPARTMENT OF THE INTERIOR, OFFICE INDIAN AFFAIRS,
March 27, 1865.

SIR: I have the honor to state, in regard to the subject of establishing the lines of the reservation for the Lac Court Oreilles band of Chippewas, that the following tracts have been ordered to be withheld from market until such lines are established, to wit:

Sections 22, 27, and 34, township 39, range 7; sections 1, 2, 3, 10, 11, 12, 13, 14, (except NE. $\frac{1}{4}$ of NE $\frac{1}{4}$.) and 15, township 38, range 8; sections 12, 24, and 36, township 40, range 8; sections 1, 12, 13, 24, 25, and 34, township 39, range 8; sections 1, 12, and 13, township 38, range 8; the object being to have the reservation bounded by definite lines, and to release to the government certain detached tracts selected in 1859, in township 40, ranges 6 and 7, amounting to 6,099 $\frac{43}{100}$ acres. You will direct Agent Webb to select from the lands above described as reserved from sale and entry a quantity immediately adjoining the reservation of 1859, (described in office letter of December 9, ultimo,) equivalent to the amount to be surrendered, and report his action to this office for approval.

Very respectfully, your obedient servant,

W. P. DOLE, *Commissioner.*

CLARK W. THOMPSON,

Superintendent of Indian Affairs, St. Paul, Minnesota.

SPECIAL AGENCY FOR POTTAWATOMIES, ETC., OF WISCONSIN.

No. 187.

UNITED STATES INDIAN AGENCY,

Appleton, Wisconsin, August 27, 1865.

SIR: Herewith I enclose a letter this day received from the supervisors of the town of Little Wolf, Waupacca county, Wisconsin. I have no doubt that the Indians referred to are Pottawatomies.

I have written the gentleman who addresses me this letter that the Indians complained of do not belong to any tribe under my charge; that I have been informed by Hon. Mr. McIndoe, member of Congress from this State, that a special agent, residing at Stevens's Point, had been appointed to look after these and other straggling Indians in this State, and that I would enclose their letter to you.

I have no doubt that the Indians are very annoying.

I have the honor to be your obedient servant,

M. M. DAVIS, *U. S. Indian Agent.*

Hon D. N. COOLEY,

Commissioner Indian Affairs, Washington, D. C.

LITTLE WOLF, WAUPACCA COUNTY, WISCONSIN,

August 24, 1865.

DEAR SIR: I am requested by the people in this town to inform you that there is a large band of Indians who have made their encampment in this county and town. They are civil and friendly, but are fond of begging, and I often hear of their stealing corn, potatoes, and other vegetables from the fields and gardens. They have a lot of horses which consume the feed that the cattle need. They are destroying all the game in the country, thereby depriving the citizens of the privilege of hunting for sport or profit. Their horses are often in the fields; their dogs are troublesome among the sheep. They have been here about three months, and, from the best information we can get of them, they mean to remain here a long time, or make it a permanent residence. Some of them, and, perhaps, all, come from Kansas, and belong to some tribe in that country. Some say they belong to one tribe

and some to another; so we cannot tell to what tribe they do belong. They are very annoying to the people here, and you would confer a great favor on the inhabitants of this vicinity by sending the Indians away, or removing them to the place where they belong, and oblige,

Yours,

PETER HEAD, *Chairman of Supervisors.*
S. H. NEWBURY, *one of the Board.*

MR. DAVIS.

No. 188.

PLOVER, WISCONSIN, September 30, 1865.

SIR: In compliance with the request contained in yours of the 4th of September, 1865, I have the honor to report that I have visited the town of Little Wolf, (and adjoining towns,) in Waupacca county, and made inquiry into the disorderly conduct of Indians who might have been in that vicinity, who they were and where from; and would state, that from all that I can learn, the Indians who have been in that vicinity the past summer are Pottawatomes, some Menomonees who have strayed away from their tribe or abandoned it, and a few Chippewas. The Pottawatomes were, a portion of them, formerly from the vicinity of Lake Horicon, in Dodge county, and some of them have for several years been moving about in the unsettled portions of Waupacca, Shawanno, Portage, Wood, and Adams counties.

The Chippewas who associate with them are a portion of the number who have never stayed upon their reservations, but have hunted and trafficked upon the Wolf and Wisconsin rivers, all moving from place to place as occasion or convenience may impel them.

I would further state, that upon inquiry of leading and respectable citizens of the towns of Royaltown, Little Wolf, and Union, I find that those Indians have been orderly and peaceable, molesting no one, and only coming among the whites for the purpose of trading or camping among them, with their consent.

The only case of complaint that I could learn of was an instance of their ponies breaking into a man's field. As far as I could ascertain, there was no objection among the inhabitants to the Indians remaining in that vicinity as long as they were as peaceable as they had been heretofore.

I am, very respectfully, your obedient servant,

O. H. LAMOREUX, *Special Indian Agent.*

COMMISSIONER OF INDIAN AFFAIRS, Washington, D. C.

MACKINAC AGENCY.

No. 188½.

MACKINAC INDIAN AGENCY,
Little Traverse, Michigan, October 30, 1865.

SIR: In obedience to the requirements of the rules and regulations of the Indian department, I respectfully submit to you the following report of the number and condition of the Indians within this agency.

The State of Michigan, which comprises the Mackinac Indian agency, contains at the present time, according to the latest census, taken for the purpose of distributing annuities to them under treaty stipulations, an

Indian population of seven thousand eight hundred and forty-nine souls, as follows, viz :

Number of Chippewas of Lake Superior.....	1,058
Number of Ottawas and Chippewas.....	4,923
Number of Chippewas of Saginaw, Swan creek, and Black river....	1,581
Number of Chippewas, Ottawas, and Pottawatomies.....	242
Number of Pottawatomies of Huron	45
Total.....	<u>7,849</u>

Of these 3,799 are males, and 4,050 are females, being an excess of females over males of 251.

The following exhibit shows the number reported annually by my immediate predecessor, late Agent Leach :

1861.

Chippewas of Lake Superior	1,011
Ottawas and Chippewas.....	4,826
Chippewas of Saginaw, &c.....	1,632
Chippewas, Ottawas, and Pottawatomies.....	235
Pottawatomies of Huron.....	51
Total.....	<u>7,755</u>

1862.

Chippewas of Lake Superior	1,011
Ottawas and Chippewas.....	4,826
Chippewas of Saginaw, &c.....	1,632
Chippewas, Ottawas, and Pottawatomies.....	235
Pottawatomies of Huron.....	51
Total.....	<u>7,755</u>

1863.

Chippewas of Lake Superior	1,032
Ottawas and Chippewas.....	5,024
Chippewas of Saginaw, &c.....	1,664
Chippewas, Ottawas, and Pottawatomies.....	252
Pottawatomies of Huron.....	51
Total.....	<u>8,023</u>

1864.

Chippewas of Lake Superior.....	1,055
Ottawas and Chippewas.....	5,000
Chippewas of Saginaw, &c.....	1,575
Chippewas, Ottawas, and Pottawatomies.....	246
Pottawatomies of Huron.....	48
Total.....	<u>7,924</u>

This table shows the number of Indians in the State to be 72 more than in 1861, and 174 less than in 1863. These figures are perhaps varied more from year to year by the roving habits of a portion of our Indians than by births and deaths. Occasionally a number of families will pass for a year or more to Canada or elsewhere beyond the bounds of the agency, and thus their names and number disappear from the pay-roll until their long visit is completed.

From such comparisons as I have been able to make of the above figures with former enumerations, covering a period of fifteen years and upwards, it would appear that there has been a slight increase of the Indian population of the State. But whether this apparent increase is real, or whether it may not properly be attributed to the roving habits of the Indians as above mentioned, and to the more perfect enumeration which becomes practicable as they advance in civilization, is perhaps questionable.

The agricultural labors of the Indians have been generally well rewarded the past summer, with the exception of the L'Anse Chippewas of Lake Superior, with whom the drought was severe. Their fields have yielded unusually fine crops of corn and potatoes. These are with them staple articles, and with the large supply on hand, with the prospect of liberal prices for furs and fish, and with the opportunity at many points of receiving a fair compensation for such labor as they may choose to perform, there would seem to be no cause for anticipating suffering among them the approaching winter.

The principal products of their fields the past summer, as reported, were, bushels of wheat, 2,875; corn, 28,390; potatoes, 88,494; and tons of hay, 1,370. The quantity of potatoes grown was nearly double that of the preceding year. The maple sugar manufactured is reported at 453,252 pounds, being more than twice the quantity produced in 1864. The value of furs sold is reported at \$54,967, and of fish at \$91,213. The statistical report shows the construction of 12 frame and 87 log houses during the year. It also shows an increase of 16 head of neat cattle and 195 horses, but a decrease of 209 in the number of swine.

Of the moral, intellectual, and social progress of the Indians I cannot report as favorably as I could wish. But looking back over a period of sixteen years and upwards, during the whole of which I have been connected with the agency as an assistant, and thus making myself familiar with the Michigan Indians, I see that their condition has very materially changed for the better, which proves that by the application of the proper means the Indian can be elevated from his low and degraded condition to the manners, customs, and arts of civilized life.

During the period just mentioned they have, to a considerable extent, abandoned their roving habits, with the exception of a few bands. They now rely very largely on the cultivation of the soil for a livelihood. Many can now read and write the English language quite fluently. They are much more temperate and correct in their habits than they were formerly.

The number of schools maintained among them during a portion or the whole of the past year is twenty-eight. The number of children attending was 523 males and 369 females, being a total of 892. Many of them, however, were very irregular in their attendance. This, indeed, is characteristic of Indian children, and is, in fact, the greatest obstacle in the way of educational success among them.

Their irregularity in their attendance at school arises in a great measure from the failure both of parent and child to appreciate the importance of education. Another serious obstacle in the way of success is the custom still so prevalent among them of spending the busy seasons and trapping seasons away from home, and beyond the reach of the school. From these

and other causes, all of which are to a great extent irremediable, the schools suffer and their usefulness is greatly impaired.

The teachers employed among them, I doubt not, have generally endeavored to be faithful in the discharge of their duties; but meeting the discouragements they do, and cut off, as in a great measure they are, from the society of intelligent whites, it is not surprising if they frequently become disheartened, and often feel that their labors are in vain.

There are fifteen missionaries employed among the Michigan Indians; of these, five are of the Methodist Episcopal church, six Catholics, two Presbyterian, one Wesleyan, and one Congregationalist. That their labors have been productive of great good is beyond question, and must be evident to all familiar with our Indians. More than any, or all other persons, perhaps, they have contributed to the suppression of intemperance and its kindred vices, and to the promotion of a higher type of morality and civilization among them. For their disinterested and self-denying labors in behalf of these people, in carrying the blessed gospel of our Lord and Saviour Jesus Christ to them, without which there can be no real civilization, and which furnishes to us all the best consolations for this life, and the brightest and only hopes for that which is to come, they are entitled, and should not fail to receive, the sincere gratitude of every true friend of this unfortunate race.

As our Indians have advanced in civilization, they have learned to feel and manifest an interest in public affairs. The constitution of the State of Michigan makes voters of all "male persons of Indian descent not members of any tribe." Under this clause the Indians generally have been permitted to exercise the elective franchise. The more intelligent among them appear to prize the privilege, and take no little interest in election matters. Often duped and misled by designing men, as voters of limited intelligence are ever liable to be, they yet evidently desire to do right and to sustain their Great Father the President. This was most emphatically and very satisfactorily demonstrated during the late rebellion. From the first outbreak they manifested a lively interest in all matters pertaining to the war, and an earnest desire that the government should in the end triumph over its enemies and restore its authority throughout the land. Very much to their credit and praise it is to be mentioned, that when offered an opportunity of engaging in the military service of the country, they promptly and cheerfully came forward and assumed all the duties and responsibilities of the soldier. And nobly were those duties performed and those responsibilities met by them. On many a battle-field they proved their valor, and in many instances, how many I cannot now say, gave their lives for their country. The officers under whom they served unanimously bear testimony to their endurance, fidelity, and courage, and to their faithful and cheerful performance of all the duties of the soldier. One hundred and ninety-six Indians are known to have entered the military service from this agency, and there may have been others whose names I have not been able to obtain.

Most assuredly, then, these men who have thus perilled their lives for their country deserve none the less of that country because of the tawny color of their skins. Nor should the unfortunate race to which they happen to belong be indiscriminately condemned as vagabonds, outcasts, and cutthroats, and doomed to utter extermination, because certain members of the baser sort of that race, out on the western prairies in the western wilds, smarting under a sense of their inferiority, or of some fancied or real injury, (most likely the latter,) inflicted upon themselves or their race at the hands of unprincipled white men, have, in retaliation for those wrongs, been guilty of devastation, murder, and other excesses in crime, at which every friend of humanity must have shuddered, and deplored and condemned at

the time, and now would gladly wish to have the disgusting accounts of them forever blotted from our recollection and from history.

And yet how much greater crimes, and disgusting even, have a lighter skin been guilty of recently in waging a most unjust and cruel war against the best and most liberal government the world ever was blest with. Few, if any, among us, now that the rebellion is most effectually put down, demand the extermination of the white race, nor even of the "chivalric" portion of it, who organized and prosecuted it with such recklessness, and, in many instances, with such horrible barbarities, immensely wicked and infamous as they and their strange work have made themselves.

The land matters of the Indians of this agency seem to require special attention at the hands of the department. The Ottawas and Chippewas, numbering about five thousand souls, have fourteen reservations, covering in round numbers about one thousand square miles. Several of their reservations are eligibly located, and possess a fertile soil, and are looked upon with longing eyes by the whites who are now flocking into the northern portion of the State. Not many of these persons have ventured to enter upon and appropriate lands on these reservations yet; but the tide of emigration is now setting so strongly towards the newer sections of the State, where these reservations are located, that it will be difficult, without the most stringent regulations, to prevent extensive trespasses. There is one reservation where already numerous white families have settled. I refer to the one located in Lelenaw county, between Grand Traverse bay and Lake Michigan, and covering an area of about one hundred and fifty square miles. I am assured that something like one hundred white families have already settled on this reservation, and that additions to the number are frequently made.

Whether the existing treaty should remain unchanged, and the "exclusive privilege" of purchasing lands on these reservations for "five years" be retained by the Indians, or whether an equitable arrangement should be made with them, and a fair remuneration made to them for the surrender of this privilege, are questions which demand the serious consideration of the department. In any arrangement that may be made, or attempted, the rights and interests of the Indians should be scrupulously guarded. This their dependent condition, as well as their legal and equitable claim upon the reservation, should insure to them.

During the next four years the sum of \$206,000 is to be paid to the Ottawas and Chippewas under the stipulations of the treaty of July 31, 1855. I believe that their interests would be promoted by expending, with their approval, of course, a portion of this money for the support of smith-shops and schools among them, for the purchase of building materials, and perhaps, also, for agricultural implements and cattle. Without aid from this source, the schools and smith-shops must soon be discontinued. The loss of either would be severely felt.

It is also well worthy of consideration, whether it would not be well for them to invest a portion of this fund in lands for the younger members of their families. Only those who were twenty-one years of age at the making of the present treaty received land under the same. Hence a large portion of the young men and women are without land and without the means of purchasing it. It is doubtless important for an Indian, as well as a white man, to have a permanent home, and to feel it is his own. Hence it seems to me that it would be a wise and judicious course to secure homes to the young above mentioned through the agency of the fund referred to.

I also earnestly recommend that provisions be made for paying to the Indians of the agency the value of the premium on the coin they were entitled to receive as annuities for the years 1863 and 1864. Those two years they

received annuities in national currency, although coin was expressly promised them by the treaty.

My predecessor, late Agent Leach, said to them, when paying them in currency, that the government would doubtless make good to them the deficiency when the war was over; and now that peace is restored they confidently expect that the premium which seems to be equitably due them will be paid. They have trusted and served the government, and now ask for simple justice at its hands.

In conclusion, permit me, honored sir, to congratulate you, and through you the loyal men and women of the country, upon the success which has at last crowned their efforts, so nobly made, to put down the late rebellion, and which secures to us an undivided country and the best of governments. Thanks to Almighty God for his signal interposition in our behalf, and all honor to the brave officers and men of army and navy who achieved for us our victories. Let them and their brave comrades in arms who fell in the deadly strife be ever held in grateful and everlasting remembrance; and be it ours more highly than ever to appreciate the principles of liberty and good government, and to see to it that they are handed down to those who shall succeed us unimpaired.

Very respectfully, your obedient servant,

RICHARD M. SMITH, *U. S. Indian Agent.*

Hon. D. N. COOLEY,

Commissioner of Indian Affairs, Washington, D. C.

NEW YORK AGENCY.

No. 189.

OFFICE INDIAN AGENCY FOR THE INDIANS IN NEW YORK,
Akron, September 30, 1865.

DEAR SIR: I respectfully submit my annual report of the condition of the New York Indians.

Having received my appointment in November, 1864, and entered on the duties of the office about the 1st of December following, at which time I relieved the former agent, Mr. D. E. Sill, who was at the time very ill, under the painful malady which he had been suffering for several months prior, and from home to receive medical attention, and what books and papers relative to the office I received through the hand of Mr. C. B. Beecher, his former clerk.

Having been a resident for the last thirty years adjoining several bands comprising the Seneca nation of Indians, as well as having the opportunity of frequently meeting at their annual councils delegations from all the other tribes of Indians within this agency, except the St. Regis, has afforded me an opportunity of becoming well acquainted with their modes and customs and general traits of character, and which I have very closely observed.

The olden time customs are being laid aside in the way of their gaining a livelihood and in matters pertaining to their living, and a new state of things, approximating to a more civilized state, is yearly developing itself.

Allow me here to state that heretofore, or some years back in the distance, the Indians within this agency derived their subsistence from three prominent sources, one of which was their annuity, which is but a small pittance for a subsistence for the year; secondly, from cropping and growing products from the soil in a moderate way, to the extent of the industry that was

put forth, and that only in a very small proportion to the amount of able-bodied men among them; and thirdly, the largest amount of receipts were derived from the sales of valuable timber upon the several reservations, which was mostly sold in the tree and below its valuation.

Coming down to the present time, the annuity for the fulfilment of treaties is received, increased with the Tonawandas by treaty for Kansas lands in 1857; and the Allegany and Cattaraugus Indians enjoy a receipt for lands leased by the whites for oil purposes, in addition to their annuity. The timber being gone, or nearly so, from the several reservations, they do not derive the amounts as received formerly.

They must now more especially rely upon a better cultivation of their lands. Industry, in the main, does not exist with the Indians, but wants to be instilled into them; and to that end I have made my most earnest requests and recommendations to them, and that their future wealth, prosperity, and subsistence would depend upon industry and the farming and cultivating their lands, which are good and productive when properly tilled; and I take much pains to refer them to some of their own people who are industrious, and to the results of their efforts in the way to stimulate them to action. And perhaps I should do injustice if I should not here say that many who have adopted industry and the cultivation of their lands vie in the growth of many productions from the soil with our best farmers among the whites; and upon the Tuscarora, Oneida, and Cattaraugus reservations there are many very enterprising farmers, as also a few on the other reservations.

On the Cattaraugus reservation an annual fair is held, and they have a very prosperous agricultural society.

The Tonawandas have taken pattern from their neighbors at Cattaraugus, and they, too, have held an agricultural fair this fall, and they met with a perfect success, and its officers are encouraged and will put forth double the effort for their next annual fair, both to raising products and the improvement of their stock in horses, cattle, hogs, and poultry.

Industry on the part of the Indians needs encouragement by each and every means; and for many years heretofore I have endeavored to urge this very important trait upon them.

The schools on the several reservations seem all to be in a prosperous state, with a growing manifestation by the parents that their children shall receive an education. The school connected with the "Thomas Asylum for Orphan and Destitute Indians," on the Cattaraugus reservation, is one of the very best conducted schools that I have visited, and under its skilful and accomplished teachers, who are certainly deserving of much praise for their assiduous attention and much patience devoted to the direct interest of the pupils, and also the interest taken with its officers, the school cannot fail of being successful under its present management. And for a more perfect statement of the same I would refer you to the report of the Rev. Asher Wright, which will accompany this report. Mr. Wright's connexion with the Indians at that station is almost invaluable, from his kindness and good advice to them.

At this point I would say that Nicholson H. Parker, United States interpreter, rendered good services in the conduct of the agency, and has had much experience as such, is a scholar, and a person who enjoys the confidence of his brothers throughout the entire agency, and in whom I have the most implicit confidence, and think him a capable and suitable man for the office he holds.

The amount of funds I received from the United States Treasurer for fulfilling treaties with the Senecas of the State of New York, residing on the Allegany, Cattaraugus, and Tonawanda reservations, was eleven thousand eight hundred and eighty-nine dollars and ninety-four cents, (\$11,889 94.)

which I have paid to them; and the sum of five thousand two hundred and seventeen dollars, (\$5,217,) "trust fund interest," I have paid to the Tonawanda band, residing on the Tonawanda reservation, in accordance with your instructions.

I also made the distribution of goods annuities to the Senecas, on the Allegany and Cattaraugus reservations; the Oneidas, at Oneida castle; Onondagas, at Onondaga; the Tuscaroras, at Tuscarora, the Onondagas with Senecas, the Oneidas with Senecas, the Cayugas with Senecas.

For the money and goods payments I have already submitted the required vouchers and statements to the Indian Office.

The Oneidas ask if the government cannot pay their goods annuity in money instead of goods in the future. They also claim forty yards of sheeting in bill, as per invoice, 1862.

In my agricultural as well as educational report I am unable at this period to give any statistics meeting the captions of blanks I received from the Commissioner's office, from the fact that they are not yet received from the superintendent of the State census, to whom I have forwarded the blanks, and have received his promise several weeks since that he would furnish them, which delay has occasioned the delay of this report, and I have concluded that this report was desired at the Indian Bureau without further delay, and that the agricultural and educational reports might form a supplement to this report, and will be forwarded as soon as I receive them.

I received and forwarded a document signed by several chiefs comprising the Seneca tribe of Indians asking that a commissioner be sent to adjust their claims in lands in Kansas under the treaty made January 15, 1838.

I have quite often within the year received delegations of aged warriors who were in the war of 1812, who have vouchers audited and signed by the adjutant and inspector generals of the State of New York, dated 1859, and drawing six per cent. interest from 1858, which accounts are for clothing and contingent expenses found by them during said war, and not payable until Congress shall make appropriation for the same, which they claim that they have had the assurance would be done as soon as the recent war should have ended, and they desire me to urge upon the department that it put forth each and every effort to the accomplishment of that end at the next session of Congress. Said claims differ in amounts from \$20 to \$120.

I am, very respectfully, your obedient servant,

C. B. RICH,
United States Indian Agent.

D. N. COOLEY,
Commissioner of Indian Affairs, Washington, D. C.

No. 190.

CATTARAUGUS RESERVATION, THOMAS ASYLUM FOR
ORPHAN AND DESTITUTE INDIAN CHILDREN,
September 25, 1865.

SIR: In complying with your request for a report of this asylum to accompany your report to the Commissioner of Indian Affairs, permit me to state that the treasurer and superintendent are both absent on journeys to the west, and it is impossible for me to find access to all the papers necessary for a full and accurate report until their return. The treasurer, in particular, designed to return before this report would be called for; otherwise he would have furnished all needed information before leaving home. Under the circum-

stances, all I can do is to state such facts as I have been able to ascertain, referring respectfully to our forthcoming report to the State Superintendent of Public Instruction for such particulars as are not now within my reach, which, together with whatever additional receipts and expenditures may intervene between the present date and the first day of October, will be included in that report.

Very respectfully, your obedient servant,

ASHER WRIGHT.

C. B. RICH, Esq.,

United States Agent for the New York Indians.

SIR: The trustees of the Thomas Asylum for Orphan and Destitute Indian Children respectfully beg leave to report to you, and through you to the Indian department at Washington, the condition of the asylum for the year closing September 30, 1865.

By reason of the great mortality mentioned in last year's report, the number of children in charge had been reduced to forty-two, and six of these were dismissed at the close of the year. During the year closing September 30, 1865, the total number under care has been seventy-one—thirty for the entire year, and forty-one for a portion only of the year. The admissions have been thirty-five, the dismissals eighteen; nine of which were children previously connected with the institution, and nine of those received during the year. One of those discharged was transferred to the State Institution for the Deaf and Dumb; four had become capable of taking care of themselves, and ten were taken in charge by relatives and friends able to care for them.

But one death occurred during the year, and that was a little boy, consumptive before he was received, and who died soon after his admission. The average for the whole year is 53 98-100; the number under care at its close, fifty-two. One of the little boys is the son of an Indian soldier, who was killed in the battle of Fair Oaks, in the Peninsula campaign.

The usual success has attended the efforts of the teachers to sustain the high character of the school under their charge; although the introduction of so great a proportion of raw recruits has greatly increased the labor required for attaining it.

The financial affairs of the asylum are in a more satisfactory condition than at the close of the previous year. The receipts to September 25 have been \$6,883 34; and the disbursements to the same date \$6,878 35.

Of the receipts \$4,157 70 were from the State of New York, of which \$1,800 were given for the special purpose of repairs, and such additional buildings as will accommodate an aggregate of one hundred children; \$1,000 were received from the United States Indian department; \$1,000 from the Seneca nation of Indians, being a portion of the proceeds of an oil lease; \$250 from the Society of Friends; \$100 from the American Board of Commissioners for Foreign Missions; and of the remainder, \$256 50 were the annuities of the orphans; and the balance, \$119 14, was from various sources, principally individual donations.

The disbursements, so far as it has been found practicable to ascertain particulars in the absence of the treasurer and superintendent, have been as follows, viz: For merchants' bills, including dry-goods, clothing, groceries, and the ordinary incidentals required in such an establishment, \$1,870 49; to matron, superintendent, and for other hired help, \$1,354 05; for breadstuffs, \$1,251 56; for meat and other provisions, \$436 09; for land purchased, \$130 05; for insurance, \$33 76; the balance, amounting to \$1,529 35, after deducting the cost of fuel, blacksmith's bills, materials and labor for repairs

of buildings, &c., has been paid for the liquidation of debts. A portion, also, of the two first items mentioned, the whole of the fifth, and nearly all of the sixth, was due on last year's expenses, so that the indebtedness of the institution has been very materially diminished during the year, although the precise amount of the reduction cannot be ascertained until the return of those who have transacted the business.

The trustees find abundant cause for gratitude in the fact that there should have been any reduction at all in times of such financial fluctuation, and when the cost of all the necessaries of life is so much above the ordinary standard; and they beg you to express their thanks to the Indian department for having contributed so largely to this result, and to solicit a continuance of the same liberality until the institution shall have passed through its season of embarrassment, and become established on so firm a foundation as to require no longer the fostering care of the government.

In behalf of the trustees, very respectfully, your obedient servant,

ASHER WRIGHT, *Clerk.*

C. B. RICH, Esq.,

United States Agent for New York Indians.

APPENDIX.

APPENDIX.

OREGON.

No. 1.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Salem, Oregon, September 17, 1865.

SIR: My annual report for this year is herewith submitted.

The Indians of this superintendency may be properly divided into two classes: 1st. Those which have been collected upon reservations, are controlled by the government under the supervision of agents, receive annuities and other benefits from appropriations, and are making more or less progress in agriculture and civilization.

2d. Those who are hostile to the whites, retain their savage habits and mode of life, and are not controlled by agents.

The first class number 5,571, located at the agencies designated as Umatilla, Warm Springs, Grande Ronde, Siletz, and Alsea. The statement of tribes of Indians in Oregon, which is herewith transmitted, marked A, shows the number of each tribe as well as the total at each agency, the name of the agent or sub-agent under whose management they are, the amount of money appropriated for their benefit per capita, and some other interesting particulars concerning them. The reports of the several agents and subordinates which accompany this report give details of their condition, which it is unnecessary to report here, and I shall confine myself to a few general remarks upon each agency, and some statements and suggestions applicable to all of them.

UMATILLA AGENCY.

The reservation for the Cayuse, Walla-Walla, and Umatilla tribes is a fertile tract of land, well adapted for grazing, and parts of it of superior fertility. It has the advantage of proximity to extensive white settlements of miners and others, and the consequent ready and profitable market for produce and domestic animals. Its disadvantages are the frequent and constant intercourse of the Indians with the whites, and tendency to dissipation and debauchery which result therefrom.

The progress made in agriculture in the three years during which I have had supervision of them has been most commendable. The crops which I saw during my visit there in the early part of this month were, many of them, such as no white farmer need be ashamed of, and each year increases the breadth of land in cultivation.

In conversation with the Indians a desire for agricultural implements and facilities, in preference to the goods usually distributed as annuities, was uniformly expressed. The great want of mills provided by the treaty will be supplied by another year, (the appropriations made by the last Congress for

that purpose being now in process of expenditure,) and I am gratified to be able to report that the work is being done in a thorough and substantial manner.

When the mills are completed, there is no reason why this colony of Indians may not become thrifty and prosperous. They own large numbers of horses and some cattle, which subsist on the natural herbage of the country, and find a ready sale to the travellers and miners in the vicinity.

Details of the numbers, value, &c., of their domestic animals, as well as their crops for 1864, are given in the "consolidated return of farming," marked "B," herewith transmitted.

WARM SPRINGS AGENCY.

The late agent, William Logan, who was in charge of this agency, perished on the steamer Brother Jonathan, which was lost on the 30th of July last, between San Francisco and Portland. The vacancy thus created has not yet been supplied, and there is therefore no agent's report for this year, but the reports of the several employes give a satisfactory account of the operations there, which I am unable to confirm by personal observation. The crops are not so good as last year, partly because of severe drought, no rain having fallen from March until August, and partly in consequence of the ravages of grasshoppers. These insects appear to be identical with the locusts of Egypt, and return in countless myriads at intervals of several years. When they come they destroy the vegetation of large districts with a suddenness and completeness quite incredible to those who have not witnessed it. When I passed the agency in July, en route to the Snake country, a field near the agency of nearly thirty acres attracted my notice as promising a good yield of wheat. Upon my return the crops had been harvested by the insects, leaving the ground as bare as a barn floor. The loss was total. The crops on other parts of the agency suffered, some much, and others little, but enough has been secured for the subsistence of the Indians the coming winter.

There being no miller and sawyer employed there at the time the reports of the employes were submitted, no account of the production of lumber, &c., is given. The saw-mill has been run a large part of the time, and a large amount of lumber made. I estimate it at 25,000 or 30,000 feet, which has been used by the Indians for building and fencing purposes, and for repairs and erection of agency buildings.

The flouring mill has ground all the grain of the Indians. The mills are the best in the superintendency, and are admirably adapted to the purpose for which they were designed.

The Indians own horses and cattle, but in less numbers than those at Umatilla, and their horses are much inferior, but they manifest great desire to accumulate property of this sort, and the abundant bunch-grass of their reservation is ample for their maintenance. Particulars of their stock and agricultural productions are given in the "consolidated return of farming," before referred to.

The provision which was incorporated into the treaty of 25th of June, 1855, with these Indians, which permits them to hunt, fish, gather roots and berries, &c., upon lands outside the reservation, is not only unfortunate because it gives the Indians access to white settlements, but it is the greatest obstacle in the way of their civilization. They often will labor industriously to put in a crop, and then prolong a trip to the fisheries on the Columbia river, or to the Cascade mountains for berries and game, until the whole product is destroyed.

The school, for the same reason, is rendered nearly useless, and the Indians, while near the white settlements, become so enfeebled and demoral-

ized by dissipation and debauchery that they are unfit for labor when they return to the reservation.

The last Congress made an appropriation for a supplemental treaty with them, which was placed in my hands last spring.

I had made arrangements to meet the Indians upon my return from the Snake country in August, but the death of Agent Logan so disarranged affairs that I thought best to defer it.

The Indians are very reluctant to surrender the right, and I am by no means sure that they can be induced to do it at all. I intend to make the attempt in the early part of next month, and will report upon the subject when the result is known.

The death of Agent Logan, and the manner of it, made a deep impression upon these Indians. When among them I was met with a universal expression of sorrow for the loss thus sustained, and respect for his memory. His long acquaintance with them made him familiar with their character and wants, while the even-handed justice with which he arbitrated their disputes, punished their misdeeds, and distributed such favors as he was enabled, was uniformly acknowledged.

His loss is a calamity to the government as well as to the Indians, and his place will be difficult to fill. Long and intimate personal acquaintance gave me high appreciation of his character and virtues, and I regret that the willing tribute I could pay to his sterling worth is not appropriate in such a paper as this.

GRAND RONDE AGENCY.

The Indians collected at this agency (which is located upon a small addition to the Coast reservation) are those which have been longest in intercourse with whites, and have, therefore, acquired more of the vices and virtues of civilization. They are tractable and peaceable, live nearly altogether in houses, some having very good ones, and depend mainly upon the cultivation of the soil for subsistence. Some of the more thrifty and enterprising live very much as their white neighbors do—well housed, well clad, well fed, and often have produce to sell, have good fences and thrifty young orchards, &c., &c.; others are vagabonds, who beg and steal, or prostitute their women, rather than work. Then there are all intermediate grades. But there is a proneness to whiskey drinking, debauchery, and idleness among them, greater than with Indians who have lived more remote. They own a few horses and cattle, and have a laudable ambition to increase their property of this sort, which of late has been pretty rapidly gratified.

The mill-dams here are much out of repair, as, indeed, are all the agency buildings. I recommend an appropriation of one thousand dollars to put them in good repair during the coming summer.

A fishery has been established on the coast at the mouth of Salmon river, for the benefit of this agency. A road to it has been constructed, a small seine and other fixtures purchased, and an abundance of salmon as well as other fish of good quality are easily obtained. The effect is very good in removing one great inducement which has existed to the Indians to straggle off; that is, the absence of fish at the agency, and the ease with which an abundance of them can be caught on the Willamette and other rivers.

A reference to the "statement of Indian tribes" and the "consolidated return of farming," before referred to, will give additional information concerning this agency.

SILETZ AGENCY.

The tribes here, although not parties to any treaty, and having but very meagre appropriations expended for their benefit, have made excellent progress in agriculture, and their location is rapidly assuming a partially civilized appearance. The number located here is double that at any other reservation, but only a very small part of them draw any annuities, or have ever had any money appropriated for their benefit. The salaries of the few employés in the service there, and the other expenses of the agency, have been mainly met from the fund appropriated for removal and subsistence of Indians not parties to any treaty.

The want of means has crippled the agency much, especially in the lack of farming implements and teams, those on hand being mainly so worn out as to be nearly useless.

The saw-mill erected by Agent Simpson in 1863 is in good condition, and capable of producing lumber enough for the present wants of all the Indians, but the grist-mill has never been of any use. It was erected several years ago, at a large cost, in an unsuitable location, and has since been so damaged by flood as to require rebuilding before it can be used. The burrs and irons are of the best quality, and I have recently directed Agent Simpson to have them taken care of; but a new building must be built, and prudence as well as convenience require that a new site should be selected.

My previous reports, as well as those of my predecessor, have called attention to the modification of the treaty of 1855 made with the tribes now located here and at Alsea. The same discontent exists now as heretofore, and, indeed, is increasing. It is often aggravated by the interference of designing persons, who tell the Indians that they have no treaty; that the government is neglecting them, while it treats other tribes so much better, and advise them to leave for their own country. This advice is sometimes followed, and would be often were it not for the vigilance of the agent.

I repeat my former recommendation that the treaty of 1855 be ratified or a new one authorized; and I also recommend an appropriation of four thousand dollars (\$4,000) to rebuild the grist-mill, and one of five thousand dollars (\$5,000) to be expended in the purchase of teams, agricultural implements, and seeds.

ALSEA AGENCY.

This agency is small in number of Indians, the extent of its operations, and the amount of money expended there.

The Indians, like those at Siletz, were parties to the unratified treaty of 1855, and the same apprehension exists among them of removal.

They have made some progress in farming, but less than at other reservations, and derive a large part of their subsistence from fish, of which a great abundance are easily taken. Some course in relation to them should be determined on without delay. If they are to be removed to another location, the sooner it is to be done the better. If they are to remain permanently where they now are, they ought to be advised of that intention, and assisted to make homes for themselves that will be attractive. Their location has plenty of fertile land, is not likely to attract the cupidity of whites, and consequently be liable to encroachment. The only objection that I see to allowing them to remain is the expense of keeping up a separate agency, when, if they were taken to Siletz, the whole expense of Alsea would be avoided.

EDUCATION.

The number of schools in the superintendency is five, located one at Umatilla, one at Warm Springs, two at Grande Ronde, and one at Siletz. The last named and one of those at Grande Ronde are kept upon what is known as the "manual labor plan." The others are day schools. The testimony of agents and teachers, as well as of other persons who have opportunities of judging, is uniform in confirmation of the opinion expressed in my previous reports that manual labor schools alone are likely to produce any beneficial results among the Indians. It is usually quite impossible to secure that regularity of attendance on the part of children which is essential to the success of day schools; and even if this is attained, the good influence of a few hours' attendance in the day is counteracted by the greater length of time they are associated with their savage parents.

Education of Indians in Oregon and Washington was first attempted by missionaries of various religious denominations more than thirty years ago, and it has been prosecuted by them by teachers employed by the government and by others ever since. The teachers may some of them have been inefficient or incompetent, but the majority have been devoted, zealous men and women, often inspired by a lofty determination to give their lives to a noble work. Presbyterians and Methodists, Roman Catholics and non-professors, have vied with each other, and the result has been, not one *Christianized or educated Indian is to be found*.

There are one or two instances of Indians who have been taken to the eastern States, and there, cut off from their savage associations, some learning has been instilled into them, and they have perhaps imbibed some of the truths of Christianity. But these instances are rare, and I do not think one can be found in this superintendency (outside of the lately established manual labor schools) who can read as well as the average of six-years-old boys in the Atlantic States. These facts indicate a radical error in the plan adopted. In my judgment the mistake is in supposing the savage mind capable of comprehending or containing, not alone the exalted teachings of Divinity, the abstruse subtleties of theology, or the pure morality of the Bible, but the lesser ethics which children of enlightened society imbibe unconsciously with their mother's milk, and teach each other with infantile prattle. These things to us are trivial and insignificant. The grown-up savage can easier be taught the differential calculus than brought to a faint conception of them. The first efforts of an Indian child should be through the stomach; give him plenty of wholesome, nutritious food. Then let him be warmly clad. The next step is to teach him to labor; instill habits of industry, and associate him with industrious people. He may then be approached cautiously with books. Such a system, carried out with patient labor and with earnest energy, can be made to improve and elevate the race. Reverse it, and put the book in use at the beginning, and the result will not only be useless—it will be absolutely pernicious. In a word, the hoe and the broad-axe will sooner civilize and Christianize them than the spelling-book and the Bible.

The manual labor schools at Grande Ronde and Siletz have produced good results, and promise better in the future. The scholars are kept in an enclosure six days in the week, cultivate a small tract of land, the boys performing the labor, and the girls needlework, housework, &c., and at the same time due attention is given to elementary studies. I have several times received tolerable specimens of penmanship from scholars of both these schools.

I again recommend such legislation as will convert all the schools in the superintendency into manual labor institutions, and urge upon you a careful consideration of the subject.

RESERVATIONS.

There is a constant tendency to encroach upon reservations by whites, arising sometimes from widely different motives. Often it is some vagabond white who wants to make a furtive living by stealing on the credit of the Indians, or by illicit traffic in whiskey or other contraband pursuits. Sometimes the advance of population, the discovery of some new route of travel, rich mineral deposit, valuable fishery or good harbor, makes the land reserved suddenly valuable, and cupidity overcomes respect for the law or regard for the rights of the Indians. Oftener, perhaps, than either, the attraction is the mere fact that the imaginary line which is made the boundary says to the adventurous seeker after a new home, "Thus far shalt thou go," &c.; and the same motive which induced our first parents to eat of the one tree in preference to any other, forthwith magnifies the value of the forbidden tract a thousand fold. The agents are constantly coming into controversy with these interlopers, and sometimes the aid of military force is invoked in support of the law. Much acrimonious feeling is thus unavoidably engendered among whites, and the Indians are constantly harassed with the apprehension that their last home is to be taken from them. An obvious cause of this aggressive disposition on the part of citizens, most of whom in all else are law-abiding, is the frequent concessions which have heretofore been made to the universal greed for new land. The remedy is plainly such legislation as will determine the policy of the government, assure the Indians of protection, and deter aggressors.

My report for 1864 gave a brief account of the attempts to settle in the vicinity of Yaquina bay, upon the Coast reservation. At a late date I was called upon by the Hon. J. P. Usher, Secretary of the Interior, for a full report upon the subject, which was furnished under date of December 12, 1864. A copy of this report, marked "C," is herewith transmitted, and I respectfully ask that it be printed with the present report and considered a part of it.

The litigation commenced by the contending parties was decided in favor of the agent, in the court of the 2d judicial district of this State; and upon appeal to the Supreme Court, that decision was sustained. To the suggestion as to the propriety of surrendering a part of the reservation to settlement, I invite your careful attention. The boundary between the part surrendered, if any, and the part continued in reserve, should be determined by actual examination and survey. I recommend that the superintendent and the agents at Siletz and Alsea be authorized to determine and survey the same, and that an appropriation of five hundred dollars be made to pay the expenses thereof.

INDIANS NOT UNDER SUPERVISION OF AGENTS.

The second class of Indians referred to are estimated at 4,900 souls, nearly all of whom live in the country east of the Cascade mountains and south of the Blue mountains. They are the Klamaths, Modocs, and the several sub-tribes of Snakes known as Yah-hoos-kin, Woll-pah-pe, Wab-tat-kin, I-uke-spi-nle, and Hoo-ne-boo-ey. Congress having made an appropriation for treating with and subduing these Indians, I proceeded last October, under instructions from your office, to make a treaty with the Klamaths, Modocs and Yah-hoos-kin Snakes. This object was attained and a full account of the expedition was transmitted to your office in my letter of 10th December last. A copy of that letter is hereto appended, marked "D," made a part of this report, and I hope will be printed with it. Last June, acting under further instructions from your office, I proceeded to the Snake country, designing to

consummate a treaty with such of the Snake Indians as could be reached. Two of the women and one of the children captured in the previous expedition were taken along under guard, the other woman and child being left, too sick to travel, at Warm Springs; and through them and the partially friendly Klamaths I got into communication with Pau-le-nee, or Pah-ni-nes, chief of the Woll-pah-pe Snakes, and after a few days' conference, during which I had no small difficulty in overcoming their fear of just retribution for their barbarous and long-continued war upon the whites, the treaty was agreed upon, committed to writing, and duly signed. The treaty was transmitted to your office on the 1st September instant. It will be found, upon examination, to call for the expenditure of a very small amount of money when ratified. Indeed, it is mainly an *addendum* to the treaty of 15th October, 1864, with the Klamaths and Modocs, bringing the Woll-pah-pe tribe on the same reservation, giving them partial benefit of the same employes and buildings, the only additional expenditure being the moderate sum stipulated for establishing them in their new home, and the small annuity to be given them. Indeed, the two treaties taken together will be found to include a greater number of Indians, cede a larger extent of territory, and anticipate smaller expenditure than any other treaties ever negotiated in this region. I earnestly recommend their ratification, and trust you will indorse this recommendation to the Senate.

The several tribes of Snake Indians have never been friendly with the whites, but their hostility cannot be said to have been systematic and determined until within the last eight or nine years. The amount of property destroyed and the number of lives taken by them in that time has been enormous. A partial list of depredations committed by them has been compiled from the newspapers of the State, and other sources, and is herewith submitted, marked "E." This does not probably include all of their depredations upon whites. Besides these are several raids made upon the Warm Spring reservation, in which large amounts of stock have been stolen and many lives taken. In one of these attacks, made in 1859, Agent Dennison being then in charge, the Snakes stole a large number of horses, variously stated at from 500 to 700, and all the cattle of both Indians and department. But a small part was ever recovered. Numerous military expeditions have been sent against them, but the nature of their country, their nomadic habits and fierce character, gave the Indians such advantage that it is no exaggeration to say that *ten good soldiers* are required to wage successful war against one Indian. Every Indian killed or captured by the military has cost the government fifty thousand dollars at least. Economy, then, indicates that it is much cheaper to feed them than to fight them.

Once settled upon the Klamath reservation the Woll-pah-pe tribe will be the means of bringing all the others in. Indeed, Pau-li-nee is the war chief, the recognized leader in all their warlike expeditions. His submission will soon, no doubt, be followed by that of How-lark and We-yow-we-wa, and with them the last of the hostile bands. I confidently expect to be able to treat with all of them without any additional appropriations.

In negotiating these treaties, and in travelling through the hostile country I frequently found it necessary to call upon the military authorities for assistance, and it gives me pleasure to say that they were uniformly ready to extend such aid as was necessary. General B. Alvord, Colonel G. B. Gurry, Major U. V. Rinehart, Captain William Kelly, and Lieutenants Halloran, Applegate, and Underwood, all responded cheerfully to such demands as I made.

PROTECTION OF RECORDS.

The business of the last fifteen years has accumulated a large amount of official papers and records in this office, which are liable to loss in case of the destruction by fire of the building containing them. Their loss would be a public calamity. Besides, there is often a considerable amount of public funds deposited in the office. The iron safe now in the office is too small to contain a fifth part of the books and papers, and, besides, is very old and insecure. In case of fire, its contents would almost certainly be consumed. A new one should be purchased large enough to hold all the records, and I respectfully recommend an appropriation of an amount suitable for that purpose.

CONCLUSION.

It is due to the agents and employes of the superintendency to say that they have generally discharged their duties efficiently and faithfully. Their reports, which accompany this, will confirm what I say, and give further information upon the subjects referred to by me.

I have the honor to be, very respectfully, your obedient servant,

J. W. P. HUNTINGTON,

Superintendent of Indian Affairs in Oregon.

Hon. D. N. COOLEY,

Commissioner, &c., Washington, D. C.

Statement of Indian tribes in Oregon, showing their numbers, location, with other particulars concerning them.

Agency.	Name of agent.	Name of tribe or band.	No.	Total.	Date of treaty.	Appropriat'n per capita per annum.	Remarks.
Umatilla.....	W. H. Barnhart.....	Walla-Wallas.....	160	June 9, 1855.	\$30 10	These Indians own large herds of horses and cattle, and live by grazing and agriculture. Three hundred of these tribes, although included in treaty, have never been upon the reservation. They live in Washington Territory, away from any white settlement, and receive no part of the benefits of the appropriations.
		Cayuses.....	370	.....		
		Umatillas.....	229	759			
Warm Springs.....	Vacancy, caused by the death of Wm. Logan, late agent.	Wascoes.....	388	June 25, 1855.	14 58	About 200 of these tribes refused to live upon the reservation. Those enumerated live near the agency, have made very satisfactory progress in agriculture, and own a considerable number of horses and cattle.
		Deschutes.....	291	.....		
		Tyghs.....	391	1,070			
Grande Ronde.....	Amos Harvey.....	Willamette Valley Indians:			Jan. 22, 1855.	Between 200 and 300 of the Indians belonging to this agency were absent when the last census was taken.
		Tumwaters.....	35	.....		
		Santams.....	83	.....		
		Mollalles.....	49	.....		
		Maryavilles.....	26	.....		
		Tualatins.....	67	.....		
		Yanbills.....	37	.....		
		Clackamas.....	22	.....		
		Luckminutes.....	29	.....		
		Umpquas and Callapooias.		348			
		Umpquas, (Cow Creek band.)		187	Nov. 29, 1854. Sept. 19, 1853.	18 68 27 54 23 91	
			.....	23		

Statement of Indian tribes in Oregon, showing their numbers, location, with other particulars concerning them—Continued.

Agency.	Name of agent.	Name of tribe or band	No.	Total.	Date of treaty.	Appropriat'n per capita per annum.	Remarks.
Alsea, (sub-agency.)	G. W. Collins, sub-agent.	Rogue Rivers	111	Sept. 10, 1853.	18 80	These tribes raise abundant supplies of esculent roots. Their lands will not produce cereals, except to a very limited extent. Their subsistence is in large part derived from fish.
		Molala	.....	175	Dec. 21, 1855.	37 14
		Nestuckas	.....	300	No treaty	2 50
		Salmon Rivers	.....			
		Tillamooks	.....			
		Total	1,144			
Siletz.....	Benj. Simpeon.....	Cooses	140	No treaty	2 50	These tribes have made excellent progress in agriculture, and have for several years raised large amounts of produce. They obtain an abundance of fish from the ocean and streams of the western slope of the coast mountains, but their chief subsistence is derived from agriculture.
		Umpquas	110	.....		2 50
		Siuselawas	130	.....		2 50
		Alseas	150	.....		2 50
		Total	530	.....		
		Chasta Sootons and Umpquas.	123	Nov. 18, 1854.	46 34	These tribes have made excellent progress in agriculture, and have for several years raised large amounts of produce. They obtain an abundance of fish from the ocean and streams of the western slope of the coast mountains, but their chief subsistence is derived from agriculture.
		Rogue Rivers	121	.....	Sept. 10, 1853.	18 80
		Chasta Coastas	162	.....	No treaty	2 50
		Too-too-e-ways	227	.....	do	2 50
		Chetcoes	221	.....	do	2 50
		Mac-en-noot-e-ways.	348	.....	do	2 50
		Coquills	142	.....	do	2 50
		Delwashes	87	.....	do	2 50
		Sixes	125	.....	do	2 50
		Flores Creeks	70	.....	do	2 50
		Euches	150	.....	do	2 50
		Joshuas	250	.....	do	2 50
		Nolt-nat-nahs	161	.....	do	2 50
		Port-Orforda	125	.....	do	2 50
		Total	2,068			

Klamath	No agent, (L. Apple- gate, recently ap- pointed agent, will be assigned to duty in vicinity of Klamath lake.)	Klamaths Moadocs Ya-hoo-kin Snakes	1,200 700 100	..... ..... ..... 2,000	Oct. 15, 1864. do do .....	..... 2 50	This treaty has not been ratified, but awaits the action of the United States Senate.
Snake Indians	No agent	Woll-pah-pe- Wah-tat-Kin I-uke-spi-ule Hoo-ne-boo-ly	..... ..... ..... .....	..... 2,000	Aug. 12, 1865. No treaty do do	None	Same remark applies to this treaty. These Indians are very savage in their character, and entirely nomadic in their habits. They wander over all eastern Oregon, Idaho, and sometimes, perhaps, parts of California and Nevada. The number of the Klamaths and Snakes is estimated.

The above statement includes all the Indians who are or have been, wholly or partially, under the control of the department. There are a few on the Upper Umpqua, a large number scattered along the Columbia river, and a small band on Clatsop plains, who have always eluded the agents, and who neither reside upon reservations, nor in any way share in the benefits of the appropriations. I estimate their number at 900, which, added to the number given in the table above, gives a total of 10,471 Indians within the limits of the superintendency.

J. W. PERIT HUNTINGTON, *Superintendent of Indian Affairs in Oregon.*
OFFICE SUPERINTENDENT INDIAN AFFAIRS, Salem, Oregon, September 16, 1865.

No. 1 E.

List of depredations committed by Snake Indians from 1862 to 1865 ; compiled from the newspapers of Oregon.

1862.

March 15.—A party of whites attacked on John Day's river. 13 men killed; among whom were Buell Woddard, Samuel Stephens, and John Shaffer.

April 12.—A party of whites attacked by Indians on Owen's river, Nevada. Douglas and Cuning escaped wounded. Cattle all taken by the Indians. Others thought to have been killed.

April 22.—Salt Lake Indians committing depredations upon the mail company. Stolen nearly all the stock and killed several employes, &c.

August 30.—Captain Curry, 1st Oregon cavalry, shot an Indian at Grande Ronde valley. His men coming to his assistance, shot four more.

September 13.—George Grimes was killed between Payette and Boise rivers.

October 4.—Salt Lake, September 21, 1862.—Charles McBride reports his party attacked by Snake Indians, at City of Rocks, on Humboldt route. Six men killed and two wounded.

October 4.—Gravelly ford, Humboldt river.—Report of massacre of 23 emigrants—men, women and children.

October 25.—A trader, named Campbell, killed in Smoky Creek Cañon and robbed of six or seven thousand dollars.

September 20.—Despatch from Salt Lake, September 11, 1862, from Snake river, reports two trains attacked by Indians at Sublette's Cut-off on 15th August. Twenty white persons killed.

October 25.—Two white men killed. One on Sweet Water, by son of a Walla-Walla chief; the other by a Nez Percé near the Lapwai.

November 8.—Salt Lake City.—Between Gravelly ford and City of Rocks Major McGarry captured twenty-six Indians; held twenty-four as hostages.

November 22.—Snake Indians made a descent on a camp of whites near Fort Boise, and drove off all their animals.

1863.

March 14.—Battle of Colonel Connor's forces with Indians, on Bear river, Idaho Territory, one hundred and fifty miles north of Salt Lake City. Two hundred and twenty-four Indians left on the field.

March 28.—Brayton and Wardel killed on Snake river, near the mouth of Powder river.

April 4.—Captain Standifer's company arrived at Placerville. Reports numbers of Indians killed, &c.

April 11.—Snakes drove off fifty head of animals from part of Burnt river. Pack train driven off also.

April 25.—Captain Standifer's party had a fight with Indians on the Malheur. Killed twenty of them.

April 25.—Captain Flyme's detachment made attack on Indians on north fork of Eel river, at Big Bend. Killed thirty-eight and took forty squaws.

April 25.—Snakes drove off 80 head of cattle from a drove from southern Oregon for Boise.

June 27.—A band of Indians made a descent on a party of miners at Burnt river. Drove off two hundred head of horses.

July 25.—Bodies of five persons found on South Salmon, supposed to have been massacred by Indians.

July 25.—Indians attacked a prospecting party. Destroyed the cabin of Dr. Price. They numbered from fifteen to twenty. Retreated to South fork, near Cañon City.

August 15.—Indians on the Malheur made a descent upon a camp and drove off part of the stock.

October 31.—Skirmish with Indians, by Captain Curry's command, on the plains at Bruneau creek. Killed four.

1864.

April 9.—On Burnt river, thirty miles above Auburn, Snake Indians drove off a number of horses; and on upper Burnt river committed wholesale robbery and arson.

April 30.—On south fork of John Day's river Lieutenant Waymire's command engaged the Indians, two hundred strong. The Indians were supposed to lose several. Several of the command were missing. A number of horses stolen by the Indians.

May 28.—Captain Drake's command had a fight with Indians on Crooked river. First Lieutenant Watson, James Haskison, and Kennedy were killed; also four friendly Indians; among them Stock Whitely, chief of the Lower Des Chutes tribe.

June 4.—Snake Indians, twelve in number attacked a party of whites, near the Mountain House, half way between Cañon City and the Dalles. Benjamin Harding killed, and Rogers wounded.

June 18.—Fifty to one hundred Indians attacked a party near Queen's river, Nevada. J. W. Dodge and J. W. Burton killed. Eight animals fell into the hands of the Indians.

November 12.—Snokomish river, Washington Territory.—Mr. Riely got into an affray with an Indian. Subsequently went with a party and killed an Indian and wounded two squaws.

December 31.—Near Alkali Flat, on the road to Cañon City, Mr. F. Adams had his mules and horses stolen. He recovered part of them.

1865.

July 8.—Auburn, June 23.—On April 25 Douthitt's pack train of thirty-six animals, another train of thirty animals, and twenty-two head of fine horses, all taken in one night, in the neighborhood of Marke's ranch.

Seventy miles above the mouth of Jordan creek, in May, over one hundred horses and over one hundred and fifty head of cattle were stolen. About June 1 thirty-six head of Hill Beachy's stage horses were stolen from the station near the same place. On 30th May twenty-six fine horses were stolen from here. On the 22d Judge Johnson lost two fine horses. Settlers in that vicinity petition the governor for military aid.

July 9.—Snake Indians attacked a party at Bridge Creek house. Six men wounded, seventeen horses killed and three stolen.

July 16.—Snake Indians, twelve or fourteen, in ambush at Goose lake, attacked four white men. Two were badly wounded.

July 16.—Ten or twelve Snake Indians attacked Richardson's train between Silver lake and head of Des Chutes. Lost three thousand five hundred pounds of flour and seven oxen.

July 23.—Near Saline lake a party was attacked by Indians in ambush; both were wounded, but escaped.

July 30.—Indians killed an Englishman ranching on Jordan creek. Drove off thirty head of horses and mules and fifteen head of cattle. Party went in pursuit and killed seven Indians and lost one man.

September 3.—Indians attacked a train near Fort Larned. All Captain McLean's battery horses, quartermaster's stores, stock, train stock and beef cattle were driven off.

September 10.—Reese river.—Indians seventy miles south of here committing depredations. Stolen thirty horses.

July 29.—Ruby City.—In July a herd of forty-one horses were stolen from ranch on Reynolds's creek, about seven miles distant from here, by Malheur Indians. Lieutenant Hobart, 1st Oregon cavalry, with company of men, followed them and recovered thirteen horses, having one man wounded.

August 5.—Boisé City.—In July, four oxen and a horse and mule were stolen from Pleasant valley, on Jordan creek. Seven Indians were in the raid. Soldiers killed four.

September 9.—Carson City.—In the latter part of August all the horses at the toll-gate, twenty-five miles east of this place, were driven away. On the 25th instant stock stolen from Strawberry valley, 18 miles east. On the next night seven horses and about three hundred head of cattle were driven away from Indian creek, within ten miles of here.

September 15.—At Silver river Lieutenant Bowen, with forty-five men, encountered three Indians. They killed two and captured the third. While prisoner he succeeded in shooting one of the guard, and was immediately killed.

No. 11.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Salem, Oregon, October 18, 1865.

SIR: When I was at Umatilla agency, in the early part of the last month, (September,) I was struck with the fine appearance and quality of some of the vegetables then growing on the Indian farms. I suggested that some specimens should be sent down for exhibition at the State Agricultural Fair, offering to pay the transportation expenses. Accordingly, a box was forwarded, its contents duly exhibited, and the result was, *two first and one second premium*, as will appear by the certificate of the secretary of the society, which is herewith enclosed. I fear that this letter and certificate cannot reach Washington in time for publication with my annual report, but I trust it may possibly do so.

Very respectfully, your obedient servant,

J. W. PERIT HUNTINGTON,
Superintendent Indian Affairs in Oregon.

Hon. D. N. COOLEY,
Commissioner, &c., Washington, D. C.

STATE AGRICULTURAL SOCIETY ROOMS,
Salem, Oregon, October 6, 1865.

I hereby certify that at the annual fair of the Oregon State Agricultural Society, the following premiums were awarded to the Umatilla Indians for articles exhibited by them, to wit:

		Gold coin.
1. Best exhibit of onions,	1st premium	.....\$3 00
2. Best display of cauliflowers,	1st "	..... 3 00
3. Best display assorted vegetables,	2d "	..... 2 00

E. M. WAITE,
Corresponding Secretary O. S. A. S.

APPENDIX No. 2.

GRANDE RONDE AGENCY, *August 22, 1865.*

SIR: In submitting this my second annual report, I am happy to say that the Indians on this agency are living in peace both with the whites and among themselves, and appear to be contented and happy, with but few exceptions—taking a commendable interest in cultivating and improving their farms, &c., to which they begin to look, as furnishing their chief means of subsistence.

This agency is located on a prairie of between three and four thousand acres of rather rough and broken land, situated on five small streams that unite near the southeast corner, forming the South Yamhill river. It is surrounded by rough and heavy timbered mountains abounding in elk, bear, deer, and other small game, from which the Indians derive a considerable subsistence.

The Indians, out of the small amount of wheat raised last year—together with what was issued to them—sowed some 300 acres of wheat last fall, but owing to the cold weather of last spring about 150 acres was entirely frozen out, so that they were compelled to plough the ground over and sow it with spring wheat, (as was the case with that sown by the department,) which was a serious loss to them. As they raised last year but barely enough for subsistence, (and there was no seed belonging to the department to issue to them,) I was compelled to use a part of their annuity fund in purchasing wheat to sow ground enough for their subsistence for the coming winter, which, owing to the small amount in the State and the demand for it from California, had to be purchased in small lots and at high figure, all of which was issued to the Indians and put in as carefully as the season and amount of teams would allow; I assuring them that each family in future must depend entirely upon their crops for subsistence, and was pleased to see that they attended to sowing and planting their fields and gardens as though properly appreciating the necessity of making provision for the coming winter.

I am satisfied that the plan of seeing that each family raise and take care of a sufficient supply for themselves and stock, has a good influence in teaching them habits of industry and economy, and is the only plan that will ever make them an agricultural people, and I would, as I recommended in my last annual report, urge the necessity of surveying and allotting to each family a sufficient amount of land to raise all the grain, &c., that they would need to subsist themselves, which would also encourage them to make permanent improvements in fencing, &c.

Many of the Indians show a laudable ambition in repairing and improving their buildings, and were it not for their superstitious fears of living in a house in which one has died, would soon all have comfortable houses; but, unfortunately, they think that a house in which one dies is unhealthy to live in.

The crops in cultivation at this agency this year are as follows:

By Indians: Wheat 437½ acres, oats 172½ acres, potatoes 21½ acres, turnips, &c., 9½ acres.

By the department, for seed, forage, &c.: Wheat 25 acres, oats 50 acres, timothy 25 acres, potatoes 3 acres, turnips, &c., 2 acres. Total, 746 acres.

The wheat crop, with the exception of some of the fall wheat, will yield more per acre than the crop of last year. The oats and potatoes will, to all appearance, yield fully an average crop. The crop of hay is better than last year. The turnips, &c., will prove a failure on account of bugs, &c.

For further details in regard to the farming operations, I would refer you to the report of the farmer, herewith enclosed.

The grist-mill is in good running order, and since the bolt has been put in gives entire satisfaction to the Indians.

The saw-mill is in good repair, and has cut during the year 84,633 feet of lumber. The dam is built of brush, logs and dirt, and is constantly needing repairs on account of the crawfish cutting holes through it, causing it to leak so badly that it is almost impossible to run the mills for a part of the fall months.

I would respectfully refer you to the accompanying reports of the several employes for further details.

Very respectfully, your obedient servant,

AMOS HARVEY, *U. S. Indian Agent.*

Hon. J. W. PERIT HUNTINGTON,
Sup't Indian Affairs, Salem, Oregon.

No. 2 A.

GRANDE RONDE AGENCY, July 29, 1865.

SIR: I submit to you the following report of the manual labor school at this place. The number of scholars that have attended the school this year has been nine girls and fourteen boys. In school they have been taught reading, writing, arithmetic, and geography. The girls have been taught to sew, knit, and to assist in culinary affairs. With the help of the boys, I have planted quite a large garden. It will afford abundance of potatoes, beets, &c.; but owing to late frosts the beans and vines will amount to but little. Many of the scholars can read readily and write a legible hand. A majority of them are apt scholars, and not only learn their lessons readily, but engage cheerfully in such labor as they are able to perform; but most of them are young—from six to twelve years of age; those older than that seem unwilling to enter school. We have taken pains, both by example and precept, to instruct them not only in the rudiments of common education, but in habits of industry and economy, as well as the principles of morality, truth, and justice, and they are encouraged to read the Holy Bible.

Very respectfully, yours,

WILLIAM H. VANDIVERT,
Teacher Manual Labor School.

AMOS HARVEY, *U. S. Indian Agent.*

No. 2 B.

SIR: In compliance with regulations of the Indian department, I submit the following report:

On the 1st day of November, 1864, by your appointment, I commenced my duties as teacher of the Umpqua day school; from that time until the 31st day of August, 1865, I attended to my duties as well as I possibly could under the circumstances. For a number of weeks the attendance averaged seventeen scholars, as many boys as girls. After that the attendance became very irregular. I then became aware, as did my predecessor, P. Crandall, of many difficulties which would render it impossible for a school of this kind to be successful; the most prominent of which is the inability of the Indians to appreciate the advantages of education. Having no motive to induce them in that direction, their attention to their studies in

school remains no longer than to satisfy their curiosity or physical comforts. Consequently, their attendance is very irregular, and in reality amounts to but little. From my experience I am satisfied that if it were possible to change the sum appropriated for the purpose of carrying on the school, and use the same for the employment of a man understanding farming and gardening, one that would take an interest in teaching, and the superintendence of such matters generally, would be far better; believing, as I do, that a practical agricultural education is really what they most need.

ENOIN F. HORSFORD,

Teacher Umpqua Day School.

AMOS HARVEY, Esq., *U. S. Indian Agent, Oregon.*

No. 2 C.

GRANDE RONDE AGENCY, *August 10, 1865.*

SIR: In compliance with the regulations of the department, I herewith submit my first annual report.

In regard to the sanitary condition of the Indians I would respectfully refer to my quarterly report, just made; but, in addition, will say, many difficulties present themselves in treating the diseases on this reservation from the want of necessary diet, clothing, &c., &c. Many of the diseases are made aggravated by the indiscriminate use of their hot or steam houses, and then submerging their bodies in cold water, thus subverting the object they should desire to obtain.

Of the whole number of cases treated, three hundred and thirty-five in the last quarter, four cases proved fatal, and at least one of these through neglect of treatment on their part, preferring their incantations and Indian *wa-was* to our intelligent system of doctoring. Many of their diseases are syphilitic in character, and are either hereditary or of so long standing that it is impossible, with our means of treatment, to effect a radical cure.

It is with great difficulty that these people can be induced to pursue any course of treatment for a considerable length of time, as they seem to think any disease should be cured in two or three days at most. To impress them with the importance of following the direction of the physician is of the greatest importance.

Very respectfully,

W. C. WARREN, M. D.

AMOS HARVEY, Esq., *U. S. Indian Agent.*

No. 2 D.

GRANDE RONDE AGENCY, *August 1, 1865.*

SIR: I have the honor to make this report of the farms under my charge at this agency:

On taking charge I found that a considerable amount of the wheat sown on the Indian farms had been killed by the cold weather, leaving a small amount standing, which is very good. There was also about fifteen acres sown by the department on low ground last fall which was entirely frozen out, and was re-ploughed and sown in spring wheat. The spring was very wet and backward, delaying the work so late that a smaller quantity of

land was sown than I had intended to have had put in by the Indians. The following is the amount in cultivation, and its condition: For the Indians, wheat 437½ acres, which will yield an average crop; 172½ acres of oats, which look well, and will yield more per acre than the average in the valley this year; also, they have planted in their gardens 21½ acres of potatoes, which are growing finely. I have sown for the department 25 acres of wheat, 50 acres of oats, and 3 acres of potatoes, all of which look well; also 2 acres of turnips, &c., which will prove a failure on account of bugs and flies, as is the case of that sown by the Indians. The meadow, 25 acres, yielded 30 tons of hay, which has been cut and put in the barns in good condition.

The Indians generally, so far, have manifested a great interest in regard to raising their crops, and a willingness to comply with my instructions. And I would further state, that, in my opinion, they will have a sufficiency of provisions, with prudent management, to subsist themselves, with the exception of the old and decrepit.

Very respectfully,

L. A. SANDS, *Farmer.*

AMOS HARVEY, *U. S. Indian Agent.*

No. 2 E.

GRANDE RONDE AGENCY, *August 10, 1865.*

SIR: In compliance with the rules of the department, I have the honor to submit my first annual report.

I took charge of the mills on the first of January, 1865. I found them in good running condition, and they are at the present time. I have ground all the wheat that the Indians have brought to the mill, being about 2,000 bushels. I have sawed lumber for the Indians to the amount of 30,000 feet, and for the department 40,000 feet. I have worked all the Indians that have been furnished me, to the best possible advantage, in making repairs upon the dam. It needs more work to make it secure against high water the coming winter, and I respectfully ask for all the teams and help you can furnish, as soon as the harvest is secured.

Very respectfully, your obedient servant,

JOHN P. EMMETT,
Miller and Sawyer.

AMOS HARVEY, Esq.,
U. S. Indian Agent, Grande Ronde, Oregon.

No. 2 F.

GRANDE RONDE INDIAN AGENCY, *August 19, 1865.*

SIR: In compliance with the rules of the Indian department, I submit the following report:

I commenced work on the agency August 6, 1864, and was employed nearly two months assisting in making repairs on the flouring-mill. Since that time I have been mostly employed in the shop, engaged in a great variety of work, such as making wagon-beds, hay-racks, and a small boat for salmon-fishing on the Salmon river, one large roller for levelling ground, repairing wagons, ploughs, harrows, &c., for the department; making coffins

and harrows, and repairing wagons, harrows, ploughs and cradles, and a variety of other farming instruments for the Indians, and assisting them in making tables, doors, bedsteads and cupboards, in which quite a number of them show a willingness to work, and a desire to learn. The shop is in good repair, and the tools generally, with the exception of the framing-tools, such as augers and heavy chisels, which are worn out and worthless. There is a good supply of fir timber on hand, but all the oak for repairing wagons and ploughs is exhausted.

T. M. COCHRAN, *Carpenter.*

AMOS HARVEY, *U. S. Indian Agent.*

No. 3.

ALSEA INDIAN SUB-AGENCY,
Oregon, August 12, 1865.

SIR: In compliance with the regulations of the Indian department, I have the honor to submit this my second annual report.

Since forwarding my last annual report, I have become convinced that the amount of land in this agency under cultivation is insufficient to supply the necessary wants of these Indians, and have, therefore, had all the suitable land for cultivation in the old enclosure broken and seeded, except such as was required for grass; also had enclosed a new field, north of the agency buildings, of about one hundred acres, a portion of which, the present season, is under cultivation.

The prospect for a bountiful harvest was, in the beginning of the season, a fine one—as good, if not better than I had ever before witnessed on the coast. But soon my hopes were blighted. Like a ravenous army the cut-worm came, and with all the care, attention and labor I could bestow, I was unable to even check them. They have succeeded in destroying nearly the entire crop of potatoes and turnips, the loss of which will be perceptibly felt the coming winter, the potato crop being the principal item of subsistence during the cold season.

The Coose and Umpqua tribes of Indians, numbering about two hundred and fifty souls, must undoubtedly suffer the coming winter unless some provision can be made to furnish subsistence for them at such times as heavy storms and gales render it impossible for them to gather muscles from the rocks and fish from the ocean, which is frequently the case for weeks at a time during the winter.

The Sayouslaw Indians, living forty miles south of this place, number about one hundred and thirty souls, are intelligent and of industrious habits. I visited them early in the spring, and distributed such kinds of seed among them as they needed, and encouraged and advised them to put in large crops, and tend them well. On my second visit to this tribe, I found that they had followed my instructions. They have fine fields of potatoes, turnips, carrots and squashes, with a good prospect of plenty the coming winter. They are good hunters, and as their country abounds in wild game they never want for meat. Their fisheries are extensive, and they will improve the pleasant portion of the season in curing fish for winter. They are but little expense to the government, needing nothing of its aid except ammunition to hunt with. They give but little trouble to the agent, as they mostly govern themselves.

The Alsea tribe, numbering one hundred and fifty souls, are located on the Alsea river, nine miles north of this place. They are of a lower class than

either of the three tribes under my charge. They subsist principally by fishing and hunting, although the most of them have good garden spots up the river and along its banks, which will supply them with a good quantity of potatoes and carrots this season. Their crop of potatoes and turnips, on their farm at the north end of the prairie, will, like the balance, be nearly an entire failure also, and from the same cause.

As to the amount of improvements during the last year, I refer you to the farmer's report accompanying this; also as to what is necessary in the agency to carry on the business of farming successfully.

Great anxiety is expressed throughout the various tribes as to what will be their destiny. They have got the impression that this portion of the country is to be opened for the settlement of the whites. This they seem very much opposed to. They ask, Where are we to be taken? where are we to be removed? When we gave up our former homes and lands we were assured this should be our permanent and lasting habitation. Here we have erected comfortable houses; our land is just being put in such condition that we may live comfortably; we are also growing old, and are not able to till new fields or erect new homes; and more than this, we have always lived by the coast—been used to subsisting on fish and game, and to remove us to the interior we must die. The above reasons are given why they wish to remain here. I have tried to persuade them that if they were removed a satisfactory treaty would be made with them, and they would be made comfortable and cared for; but this does not seem to satisfy them.

Very respectfully, your obedient servant,

G. W. COLLINS,
United States Indian Sub-Agent.

Hon. J. W. P. HUNTINGTON,
Superintendent Indian Affairs, Oregon.

No. 3 A.

ALSEA INDIAN SUB-AGENCY,
Oregon, August 10, 1865.

SIR: I have the honor to submit this my first annual report. On assuming the duties of farming operations at this agency, October 24, 1864, my first duty was to erect a potato-house for the Alsea tribe of Indians, fourteen by sixteen feet, made of good substantial logs, and covered with clapboards. I then proceeded to secure the potato crop, which was finished on the 15th of November. Owing to the uncommonly dry season the yield was small, some portions of the ground scarcely producing the seed planted. I next repaired the stable for winter, by building stalls for the department horses, and mangers for the work oxen; also built a good substantial fence around the barn.

During the winter but little was done, aside from the duties of tending the stock, except to prepare fencing for the enclosure of a new field; early in the spring I erected a post-and-rail fence, one mile in length, commencing at the commissary building and running north, taking in the Alsea farm, situated on the north end of the prairie, and by so doing have enclosed about one hundred acres of the best land on the farm. The north end and east side of this field, being belted with heavy timber and thick underbrush, the cold north winds, so common to this locality, are broken off. On commencing to put in my spring crop, I selected from the Coose and Umpqua tribes

four men each as teamsters and ploughmen, and with such instructions as I was able to give them they did exceedingly well, and will now compare favorably with the generality of white men, as farmers. I seeded all the old ground, and what was called fifteen acres of sod, which was broken in the fall previous to my taking charge; also forty acres of sod which I broke in the spring. The following includes all the old and new ground now under cultivation: Of wheat, twelve acres; oats, twenty-two acres; potatoes, fifty acres; turnips, eight acres; carrots, three acres. Aside from the above, the Cooses and Umpquas have ten acres of oats for their individual use, and each family a good, large garden, which will amount in all to eight acres more, making the total number of acres under cultivation this season one hundred and thirteen.

Immediately after the crop was in I unroofed the old barn, raised it two logs higher, and built an additional crib, 20 by 22 feet, on the south end, with a tramping floor between the old and new of 25 feet, making the whole length of the barn 100 feet. I have shedded both sides the full length, the one on the west being 15, and the one on the east 12 feet wide.

During the heavy winds last winter the Cooses' stable was blown down, and the Umpquas' unroofed. These I have rebuilt and repaired; also have cut and housed thirty tons of hay, ten of which is the best timothy; have also had six tons of hay put up for the Cooses and Umpquas.

The amount of hay and oats raised this year will be sufficient to keep all the stock in good condition during the winter and spring.

The different tribes have built quite a number of substantial framed houses, and taken pains to fit them with taste and usefulness.

The wheat crop will be a fair average, some portions being very stout, while others are scarcely an average. The oats are very fine, and will produce largely, and are nearly fit for harvest. The potato and turnip crops will be nearly an entire failure, owing to the countless number of cut-worms, which, in spite of every exertion on my part, together with the Indians, have consumed nearly the whole crop. The carrot crop will be small, owing, I think, to the quality of the seed. I seeded the ground the second time, but to no better result than the first.

I find the Indians on this agency good workers and rather intelligent, ready and willing to perform such duties as are exacted of them. This is the first season they have been required to perform all kinds of work on the farm, consequently are not so far advanced perhaps as Indians on other agencies; but I am confident that in another season they will be able, with but little assistance, to do all the work required on the farm.

I would recommend the procuring of more tools of various kinds, such as carpenter tools, farming implements, spades, shovels, &c., as I have labored under great disadvantage during the past season for want of proper kinds of tools to work with; and in order that the Indians may be taught the various kinds of work, it is necessary that a supply of different kinds of farming implements be procured, as the amount on hand is very limited.

I would also recommend that a new vise be procured, as the one on hand is broken and unfit for use. Also suggest the propriety of fattening and killing two yoke of old oxen, as it was only with the greatest care and attention that I got them through last winter, consequently in spring were unfit for service. In order that such a crop as is needed may be put in next spring, and in the proper time, four more yoke of work oxen are needed, for it is necessary that the crop should be put in early, that it may mature and ripen

before the fall rains set in, as it is a very hard matter to cure grain properly here late in the fall.

All of which is most respectfully submitted.

SAMUEL CASE,
Superintendent Farming Operations.

G. W. COLLINS,
United States Indian Sub-Agent.

No. 4.

WARM SPRINGS AGENCY, August 19, 1865.

SIR: I have the honor to submit the following report of the farming operations under my charge during the present year:

The whole number of acres of land enclosed and under cultivation this year is about four hundred. Of this number, about fifty acres are reserved and cultivated by the department for the purpose of raising forage for stock, and seed and food for special issue to Indians that are destitute, &c. Last year I had but forty acres for this purpose; but finding this insufficient, I, by direction of the agent, broke up and enclosed ten acres more of new land. During the months of April and May last I prepared the ground and put in for government 80 acres of wheat, 15 acres oats, 5 acres potatoes; for the Indians, with assistance, 220 acres wheat, 5 acres oats. In addition to this, the Indians put in, in their enclosures, about one hundred and twenty-five acres in corn, squashes, beans, turnips, and potatoes.

The growing season has been very dry, and from this cause alone our crops would have been light, but during the months of June and July the grasshoppers made their appearance in swarms, and committed such ravages among the wheat and oats as to make them almost an entire failure. The wheat upon the government farm was wholly destroyed, and little of the oats remained.

The Indians fared but little better with their crops. Their oats were entirely destroyed, and their wheat so damaged that it will produce but little.

It is impossible for me at this early date to make a correct estimate of the yield of the wheat crop; yet I do not think it will exceed eight bushels per acre, being less than half the yield of last year.

The potatoes, corn, &c., look well, and will, notwithstanding the dryness of the season, produce an average crop.

These Indians, though they work well in the spring, are rendered very unsettled by their fisheries, guaranteed to them by treaty, and their yearly trips to these are made at a time when their farms most need their attention. This has been a source of great annoyance to me during the past season, and has been greatly to the detriment of their agricultural interests.

The oxen now on hand are very old and unable to perform much labor. At least twelve yoke of young work oxen will be needed to carry on farming operations for another year.

Two new wagons are much needed, those on hand being very old and worn.

Very respectfully, your obedient servant,

M. REAVES,
Superintendent Farming Operations.

J. W. PERIT HUNTINGTON, Esq.,
Superintendent Indian Affairs, Salem, Oregon.

No. 4 A.

WARM SPRINGS AGENCY, OREGON, August 19, 1865.

SIR: I have the honor to submit the following report of the Indian school in my charge. I entered upon my duties here on the 1st day of February, 1865, with a fair attendance of scholars. Their attendance has been very irregular, not exceeding eight scholars per day. During the planting season the services of the children being required to assist their parents in their gardens, &c., I allowed them a vacation, and spent my time in assisting and instructing them in the cultivation of their garden crops. The children were at the fisheries with their parents during the months of June and July.

I endeavored to have the children attend school regularly, but their parents objected, telling me that they were compelled to support their children, and therefore considered themselves entitled to their assistance in raising food with which to feed them, and that while at the fisheries they could not leave their children at the agency without some person to take care of them.

I would respectfully request that the superintendent of farming operations be instructed to permit the teacher to take charge of a small field situated near the school-house, the same to be cultivated by the scholars under the direction of their teacher, who shall distribute the produce thereof among them in proportion to the manual labor that each shall have performed; also to furnish the teacher with farming implements necessary for the cultivation of the same.

Nearly all the children are destitute of clothing. I would recommend that the children who attend school regularly be comfortably clothed. By so doing the attendance will be large and regular.

Very respectfully, your obedient servant,

J. W. D. GILLET, *School Teacher.*

J. W. P. HUNTINGTON,

Superintendent Indian Affairs, Salem, Oregon.

No. 4 B.

WARM SPRINGS AGENCY, OREGON,

August 19, 1865.

SIR: I have the honor to submit my fourth annual report on the condition of the health of these Indians.

By my long residence with them I have acquired their confidence, and found that my medicines and treatment have been very beneficial to them; consequently they are anxious to get medical treatment when sick, and particularly as it costs them nothing, as among themselves they would exact payment.

I am happy to state I have gradually made them understand that we work by no charms nor conjuring, to cure the sick; but we simply go to work and find out the disease, and when found, then apply the remedy accordingly. If we cannot cure by such process, no being under the sun can. Consequently, many of the most intelligent have given up their old superstitious habits and mode of doctoring; but it will require time before it can be eradicated from the minds of many that there are individuals who acquire from birth a supernatural power of killing and curing.

I have been quite successful in my treatment to them the past year; but few deaths have occurred, and that principally of children and old men.

The diseases are prevailing epidemics—colds and coughs, pulmonary complaints, ophthalmia, syphilis and chronic diseases.

I am happy to state, however, that there have been less cases of syphilis this year than usual, and hope to report more favorably on this disease after the extinguishment of the Indian right to the fisheries at the Dalles, as all the syphilitic cases come from that section.

In conclusion, I would call your attention to a new supply of medicines and hospital stores.

I am, very respectfully, your obedient servant,

WM. C. MCKAY, *Physician.*

Hon. J. W. PERIT HUNTINGTON,
Superintendent Indian Affairs, Oregon.

No. 4 C.

WARM SPRINGS AGENCY, OREGON,

August 19, 1865.

SIR: I have the honor to submit the following report:

During the past year I have fabricated the following articles, viz:

Two hundred and fifty root-diggers, one hundred hunting-knives, twenty-five mattocks, forty grub-hoes, six frows, seven sets harrow-teeth, eighteen set whiffletrees new ironed, twenty pairs strap-hinges, twenty-five pairs maul-rings, thirteen iron wedges, fifty salmon hooks and spears, four neck-yokes, one thousand root-diggers sharpened.

Most of my time has been occupied in repairing wagons, ploughs, yokes, log-chains, &c., and shoeing horses for department and repairing guns for Indians, fitting new tubes, and changing flint locks to percussion.

I would suggest the purchase of the following articles, which are greatly needed, viz:

One set new tools for gunsmith, those on hand being worn out and worthless; one thousand pounds iron, assorted; one hundred pounds plough steel; fifty pounds cast steel; one thousand bushels coal.

I am greatly in need of an Indian boy to assist me in my shop.

Very respectfully, your obedient servant,

F. B. CLARE, *Blacksmith.*

J. W. PERIT HUNTINGTON,
Superintendent Indian Affairs, Salem, Oregon.

No. 4 D.

WARM SPRINGS AGENCY, OREGON,

August 19, 1865.

SIR: I have the honor to submit the following report:

I commenced here as a wagon and plough maker on the 15th day of April, 1865. Since then my time has been almost wholly occupied in repairing farming implements for Indians and department. I have manufactured and used for repairing wagons, ploughs, &c., three axletrees, one wagon-box, seven plough-beams, thirteen plough-handles, three coupling-poles for trucks, twenty-three hoe and rake handles.

The repairing of buildings of Indians and department, and instructing the Indians in building their barns and in the use of carpenter's tools, has occupied a large portion of my time.

The timber used for the above repairs is an inferior article. It was cut on the reservation, and I was compelled to use it while it was green, there being no seasoned timber on hand. I would suggest that a supply of good wagon and plough timber be furnished before the roads are blocked up by snow. A set of new tools is very much needed.

Very respectfully, your obedient servant,

GEORGE C. COOK,
Wagon and Plough-maker.

J. W. P. HUNTINGTON, Esq.,
Superintendent Indian Affairs, Salem, Oregon,

No. 5.

UMATILLA INDIAN AGENCY, OREGON,
August 19, 1865.

SIR: I have the honor to present this my fourth annual report upon the condition of Indian affairs at this agency.

As you are aware, the tribes under my charge are composed of the Cayuse, Walla-Walla, and Umatilla bands confederated by the treaty of June 9, 1855, and numbering, as per census taken by me on the 22d June last, 759 souls, classified as follows, viz :

Names of Tribes.	Men.	Women.	Boys.	Girls.	Total.
Cayuses, Tin-tin-met-sic chief.....	89	140	67	74	370
Walla-Walla, Homle chief.....	48	63	23	26	160
Umatilla, Wenap-Snoot chief.....	55	93	39	42	229
Total.....	192	296	129	142	759

During the past year very little of a serious nature has occurred to disturb the general tranquillity among the Indians, and they are living together in greater harmony than usual.

The annuity goods designed for distribution to these Indians last winter were not received at the agency until late this spring, and I deemed it judicious to postpone the issue until after the spring crops were planted, which was satisfactory to the Indians.

The ploughs and harness purchased by you, in accordance with my requisition, did not reach here in season to be of service this spring, which was regretted at the time, but we got along much better than I expected, and the Indians, with the aid I was enabled to give them, put in a larger crop than usual.

We are now busily engaged with our harvest, which, notwithstanding the grasshoppers and drought, will be nearly an average yield. This year the number of acres under fence is about nineteen hundred, of which eight hundred and fifty-one acres are cultivated by the Indians, the remainder being yet unbroken or partially cleared, but serving as pasture for their work-horses. While the number of acres in cultivation this year exceeds that of last, the quantity of

produce raised will be no greater, in consequence of the backwardness of the season, together with the long-continued drought, and a visitation of grasshoppers.

Many of my Indians now almost solely rely upon agriculture for a livelihood, and their farms will compare favorably with those of their white neighbors.

Several Indians will have a large surplus product to sell this year, consisting of oats, wheat, hay, corn, potatoes, and vegetables. The constant and rapid progress these Indians are making in agricultural pursuits is extremely gratifying to witness by those who take an interest in their temporal welfare.

While many of the Cayuse tribe are wealthy in horses and cattle, the great majority of the three tribes are very poor, and those that are able to work have been taught that they must earn their subsistence by the cultivation of the soil. The example is constantly before them, that the industrious Indian has an abundance to eat and to wear, while the idle and vicious are poor and hungry, frequently bringing themselves to shame and sorrow by their vagabond habits.

The number of acres and kinds of crops planted by the Indians this year I estimate as follows: Wheat 430 acres, oats 90 acres, corn 140 acres, potatoes 50 acres, peas 45 acres, and 6 acres in melons, pumpkins, onions, carrots, turnips, parsnips, cabbage, &c., &c.—total, 851 acres. This will doubtless give a total yield approximating as follows, viz: Wheat 4,300 bushels, oats 1,500 bushels, corn 1,000 bushels, potatoes 1,800 bushels, peas 850 bushels, and vegetables 1,000 bushels. If the present season had been as favorable as the last, the products of the Indian farms would have been much greater; however, it is satisfactory to know that there is an abundance of food raised to suffice for all the Indians who till the soil for themselves, besides being sufficient for the poor old men, women, and children who are physically incapacitated to earn their own subsistence in any manner. This latter class of Indians, of whom there are always a few here, but a less number I am informed than upon other reservations in Oregon, must always rely upon the bounty of the government for support; this is accomplished by me without an annual appropriation by Congress therefor.

The agency farm consists of sixty acres, upon which are raised forage for the department cattle and horses, and wheat, potatoes and other vegetables for the benefit of the old and indigent, and seed to be given the following year to those Indians who, from various causes, have nothing left.

As I have stated in former reports, the wealth of these tribes is possessed by very few Indians, mostly of the Cayuse tribe, and they are superior Indians in every respect, evincing great ability to take care of their property, and in the management of their business generally.

I hope the next year will see us supplied with ploughs and harness, and other agricultural implements, sufficient for the wants of all who are willing to work.

The wagons, ploughs, and other department property have been in use for six years, and of course are becoming much worn, requiring constant repairs to render them fit for service.

The oxen were old when they were first brought here, and most of them are now unfit for further use. It would be better for the Indians and for the service, if these cattle could be sold, and their place supplied with large work-horses. All the Indians show a greater aptitude to work with horses than with oxen, and their own ponies are not strong enough to break new land with the large ploughs required.

It is well known to you that these Indians have for years been clamorous for the erection of mills on the reservation, as promised them by the government. The non-fulfilment of this treaty stipulation has at times caused

much dissatisfaction among the Indians, and great difficulty on the part of the agent in keeping them on the reserve.

In accordance with your instructions in May last, I promptly commenced the erection of the mills; the work has progressed as rapidly as practicable. We will have the saw-mill running in a few weeks, and the flour-mill within six weeks thereafter, so that it may be of benefit to the Indians before winter sets in.

With the erection of the long-promised mills, the Indians here will have nothing reasonably to complain of on the part of the government, except the shipment of worthless goods to them from the Atlantic States, which I trust has ceased with the last lot received.

The completion of the mills at an early day will be a great incentive to the Indians to work, and will doubtless accomplish much to induce all who belong to this reserve to remain permanently upon it.

The privilege is granted to the Indians at certain seasons of the year to hunt and fish in the mountains bordering the reservation, as per first article of the treaty, but I only permit them to be absent for a limited period, and when they are not engaged in agricultural pursuits. I find it difficult to break them of this habit, and in the spring and fall I allow them to go to the mountains for their usual supply of game and fish. Last spring, while a party of Umatilla Indians were encamped on a tributary of John Day's river, distant about forty miles from the reserve, they were attacked by a party of hostile Snake Indians, and all their horses—fifty-one head—stolen from them.

This party of Umatillas, being left on foot, were unable to follow in pursuit, and returned to the agency for assistance to enable them to recover their property. The affair was reported to Colonel Curry, of the 1st Oregon cavalry, in command at Fort Walla-Walla, who, with commendable promptitude, went himself with a detachment of troops, accompanied by seventy Cayuse and Umatilla Indians, to the scene of the raid. Every effort was made on the part of the soldiers and friendly Indians to find the predatory band of Snakes, but without avail. This is the first time in many years that the Snake Indians have ventured so near the reservation, and my Indians in consequence of this raid feel great alarm for the safety of their property. I may state here that I can at any time raise a force of one hundred Indians, well mounted, to accompany a column of troops sent against these hostile Indians.

In reference to the progress of my Indians in agriculture and pastoral pursuits, they advance more speedily, and with a greater permanent good to themselves, than any Indians I have ever known; but their progress in the art of learning to read and write has always been surrounded with difficulties. The boys come to the shops, where I allow them the use of mechanical tools under the supervision of the treaty mechanics, and several of them evince great mechanical ingenuity. But as we never have had suitable buildings for a school-house and lodging house for the Indian children, little, I regret to say, has been accomplished for their amelioration at day-schools. The moment lumber can be procured from our mills, and the necessary funds placed in my hands for the purpose, the proper buildings shall be erected, and every inducement on my part offered to secure the constant attendance of young Indians at the school. No lasting benefit, however, will accrue to them by the system of day-schools, unless persevered in for some time; and even then the Indian should be taught that his first duty is to be industrious and moral, and to rely upon the fruits of his own labor for his subsistence, without expense to the government.

I think the time has arrived when it would be good policy to allot land in severalty to Indians who by their own industry have made good farmers. This would secure those Indians and their heirs in the possession of the land forever, about which they feel so much solicitude, it being not unfrequently

reported to them that their lands are to be taken by the government and given to the whites. The constant fear on the part of the Indians that the whites will take the reservation from them is a source of perpetual dissatisfaction to them, and a great annoyance to me, as there are not wanting unprincipled white men who never omit an occasion to impress this upon the minds of the Indians. Much of my time is occupied in convincing these simple-minded people that they will not be removed so long as they remain at peace with the whites, and observe the promises made in the treaty, or express a willingness to sell their land and remove elsewhere. I may state here that the Indians upon this reservation can only be induced by force to relinquish it.

It is currently believed that the commander of this military department has recently ordered the abandonment of Fort Walla-Walla as a military post. The fort is distant from the agency about thirty miles, and if the troops are withdrawn from it, I earnestly request that a detachment of cavalry be stationed permanently on the reserve, within a few miles of the agency, for the purpose of protecting both whites and Indians. It is well known that the reservation is a thoroughfare to the agricultural districts of Grande Ronde and Powder River valleys; and the gold and silver mines of Boise and Owyhee, being constantly traversed by thousands of white people, it is difficult, and at times almost impossible, for the agent, unaided, to prevent serious disturbances between travellers and the Indians. If the reservation is left without military protection nearer than one hundred and fifty miles, as it would be by the withdrawal of the troops from Fort Walla-Walla, trouble will soon arise between the worst class of whites and the Indians, who have heretofore only been kept in subjection by a wholesome fear of the military. It is often necessary to arrest refractory Indians, and send them to the guard-house of the fort for punishment, and only the fear of arrest by the troops prevents the open and wholesale traffic of selling liquor to Indians upon the reservation. In view of these facts, I trust that a detachment of *cavalry*, say twenty-five men with a commissioned officer, may be stationed permanently on the reserve, within a few miles of the agency, and at a sufficient distance from the Indian camps to prevent intercourse between soldiers and Indians. Infantry stationed at the agency are of no use whatever; mounted troops only are suited for this kind of service.

The Indians expect to be protected from vicious white men, and the white people, particularly the settlers on the borders of the reservation, among whom are some of our best citizens, naturally expect and demand to be protected from drunken vagabond Indians. All this, from your knowledge of the situation of affairs here, is, doubtless, apparent to you. With military protection within a reasonable distance of the agency, white people will feel secure in their persons and property, and vicious Indians kept, as heretofore, under the control of the agent.

The sanitary condition of the Indians living on the reserve has been remarkably good during the past year, the quarterly reports of the physician showing a small increase in numbers for the last nine months.

For further details in reference to treaty employes, I respectfully refer you to their annual reports, herewith transmitted.

I am, very respectfully, your obedient servant,

WM. H. BARNHART, *U. S. Indian Agent.*

J. W. PERIT HUNTINGTON, Esq.,

Sup't Indian Affairs, Salem, Oregon.

No. 5 A.

UMATILLA INDIAN RESERVATION,
Oregon, August 3, 1865.

SIR: I beg leave to hand you the following report as superintendent of farming at this agency:

There has been a considerable improvement among the Indians during the past year; a much larger number of them showing a disposition to cultivate the soil, and many more of them would have put in crops had we had a sufficiency of tools for them.

The new lot of ploughs and harness received from the superintendent of Indian affairs did not arrive in time to be available in putting in the spring crop.

The amount raised this year by the Indians I can only estimate. I do not think there will be less than 4,300 bushels of wheat, 1,500 bushels of oats, 1,800 bushels of potatoes, 850 bushels peas, and a very large crop of vegetables; but in making this estimate I would remark that if the present drought continues it may fall short. The crops raised on the agency farm, I think, will be sufficient to feed the old and indigent the coming winter, and to feed government animals.

I would respectfully recommend that new seed-wheat be purchased for another year, that now in cultivation being very inferior and unsuited to this climate.

To keep up with the growing disposition of the Indians to cultivate the land, it will be indispensable to get some more work-oxen, for the purpose of breaking land, the majority of those on hand being old and unfit for service. It would also be of great benefit if we had, at least, one more span of good work-horses.

The wagons belonging to the department, from long service, are almost unserviceable, needing constant repairs.

We have cut and put up about fifty tons of wild hay. From the large amount of stock belonging to the Indians, and the continual travel of miners passing through the reservation with their animals to Idaho and eastern Oregon, the grass is eaten out to such extent that wild hay is extremely difficult to procure, and I would recommend the purchase of some grass-seed for future use.

Respectfully, your obedient servant,

NARCISSE ABORNOYER, *Sup't of Farming.*

W. H. BARNHART, Esq.,

U. S. Indian Agent, Umatilla Reservation, Oregon.

No. 5 B.

UMATILLA INDIAN RESERVATION,
Oregon, July 30, 1865.

SIR: As directed by you, I submit the following report as carpenter of this agency:

Until the saw-mill is completed it will be impossible to keep the Indians supplied with such articles as they require. I have, however, with the small amount of lumber purchased by you, made for them quite a number of coffins, and also a few tables, bedsteads, &c., and have repaired the agency buildings as far as it was practicable in their decayed condition. In accordance with your wishes, I have continued the practice of allowing such

Indians as show an aptitude to learn the use of tools, to use the tools in the shop, always, however, under my supervision. The tools in the shop are in good order, and are all that I require at the present time.

Respectfully, your obedient servant,

BACKUS HENRY, *Carpenter.*

W. H. BARNHART, Esq.,
U. S. Indian Agent.

No. 5 C.

UMATILLA AGENCY, OREGON, *August 2, 1865.*

SIR: In submitting my report, it must necessarily be brief, from the short time that has elapsed since my appointment as physician on this agency.

There is a great deal of sickness among the Indians, mostly scrofula, consumption, rheumatism, and ophthalmia, with several cases of typhoid fever, and a few cases of syphilis and gonorrhoea; but only five or six cases that I consider dangerous.

Owing to the scrofulous condition of a large number of those whom I have visited, the treatment of their cases becomes extremely difficult.

The supply of medicines on hand is ample for all present purposes.

Trusting that this brief report may be satisfactory,

I am, sir, your obedient servant,

T. CORWENAUP, M. D., *Physician.*

WM. H. BARNHART, Esq., *U. S. Indian Agent.*

No. 5 D.

UMATILLA INDIAN AGENCY, OREGON, *August 2, 1865.*

SIR: It again becomes my duty to report to you as teacher on this reservation.

In my last report to you I stated the many difficulties that operated against the establishment of a day-school on this reservation that would be of any permanent advantage to these Indians. The great distance which these Indians live apart, and the want of any provision being made for feeding the children while in attendance at school, renders it next to impossible to get them to attend with any regularity; and still another great difficulty exists in the want of a suitable building. This latter I hope may be obviated after the completion of the saw-mill.

The longer I am among these people the more I become convinced that a manual labor school is the only one that will benefit them; the children should be placed entirely under the control of the teacher. To do this, and properly sustain such a school, would, I am well aware, cause the outlay of a considerable sum of money, and of course it does not become me to say whether it can be done with the means at your disposal.

I am, sir, respectfully, your obedient servant,

M. DAVENPORT, *Teacher.*

WM. H. BARNHART, Esq., *U. S. Indian Agent.*

No. 5 E.

UMATILLA INDIAN AGENCY, OREGON, *August 3, 1865.*

SIR: As required, I hand you my report as wagon and plough maker.

The wagons belonging to the department are getting old, having been in constant use for about six years, and are continually in need of repairs. I have, however, been able to keep them in tolerable running order.

The Indians have several old wagons among them, which I have kept repaired for them. I have advised the Indians, before they trade for any more wagons to let me inspect them, as many of those they have traded for are not worth repairing.

I have mended up the wood-work of all the old ploughs that were worth repairing. I have also made for the Indians a large number of mauls, axes, helves, and such other tools as they needed.

I am, sir, respectfully, your obedient servant,

M. LYONS, *Wagon and Plough Maker.*

WM. H. BARNHART, Esq., *U. S. Indian Agent.*

No. 5 F.

UMATILLA INDIAN AGENCY, OREGON, *August 3, 1865.*

SIR: In accordance with your instructions, I beg leave to submit the following report as blacksmith for the Walla-Walla, Cayuse, and Umatilla Indians:

My time during the past year has been constantly occupied in keeping in repair the wagons, ploughs, and other agricultural implements and tools belonging to the department, and in doing such work as the Indians daily bring in.

The turning-lathe which you purchased for me answers a very good purpose. In fact, I do not know how I could have got along with the amount of work without it.

The millwrights, who are erecting the mills, require considerable work, and may make it necessary to purchase some different sizes of iron and some other material that we have on hand.

As you are well aware, the shop is a very old and dilapidated log building, almost entirely unfit for use; but I hope, as soon as the saw-mill is completed, that we may be able to have a new one erected.

I am, sir, your obedient servant,

T. WESTON, *Blacksmith.*

WM. H. BARNHART, Esq., *U. S. Indian Agent.*

No. 6.

SILETZ AGENCY, *October 3, 1865.*

SIR: In compliance with your instructions, I have the honor to submit my third annual report.

It affords me great pleasure to state that the affairs of this agency are in a prosperous condition. Through the efficiency of the employes and the industry of the Indians we have succeeded, the present season, in raising an abundant crop of all the principal productions of this place, for a more detailed account of which I beg leave to refer you to my last annual report of farming, which was made at the proper time.

The Indians under my charge seem quite well satisfied to remain at their homes, and to work with a will and determination to secure a livelihood by their own labor. They are, with the assistance of the employés, making more material and enduring improvements than formerly—erecting commodious barns, substantial and comfortable dwellings, surrounding them with fences, and enlarging their fields. A spirit of rivalry and competition seems to be increasing among them—a powerful incitation to exertion, and ever conducive to success.

I think I cannot too strongly urge upon the department the necessity of furnishing this agency with an additional amount of teams and farming tools for the use of the Indians, as the supply on hand is entirely insufficient to satisfy the demand.

Our school is prospering very satisfactorily, in care of Lucien Frazer, teacher. Most all of the students can read and write, and some of them are making considerable progress in arithmetic. There are twelve in number, seven boys and five girls, which are about as many as can be properly cared for with our limited means and facilities for carrying on the school. We feed and clothe the scholars, keeping them entirely within the precincts of the school. This I find necessary, from past experience, if we expect to improve their habits and morals as well as their minds.

In my last annual report I called your attention to the difficulties encountered in carrying out instructions in reference to Yaquina bay and the oyster beds. I wish, again, most respectfully to call your attention to that subject, as I fear, unless something is done soon, it will be impossible to prevent trespass upon that portion of the reservation unless a strong military force be kept on the grounds. As I should not regard it at all deleterious to the interests of the Indians, I would suggest that all of them who occupy that portion of the reservation be removed north of Siletz river, and that the southern boundary of the reservation be established at a point somewhere between the waters of Yaquina bay and the Siletz river.

I would again very respectfully suggest the necessity of a treaty with the Indians under my charge, and that the lands which they occupy be surveyed and set apart to them, either in tribes or individually; they would thus be encouraged to make more permanent improvements.

Our flouring mill has proved to be utterly worthless, owing to the high water last winter. It would cost about as much to repair it as to erect a new one. I will therefore be compelled to erect one of a cheaper character, that can be run by horse-power.

In regard to the sanitary condition of the Indians under my charge, I beg leave to refer you to the report of the resident physician, which is herewith transmitted.

Very respectfully, your obedient servant,

BEN. SIMPSON, *U. S. Indian Agent.*

HON. J. W. P. HUNTINGTON,

Superintendent Indian Affairs, Oregon.

No. 6 A.

SILETZ AGENCY, August 15, 1865.

SIR: I have the honor to submit the following annual report of the manual labor school under my charge:

On taking charge of the school (September 1, 1864) I found the scholars somewhat scattered. I succeeded in getting together eight—two girls and six boys. Since the school has been under my charge six have been added

to it—three boys and three girls. Two boys have died during the year. The school now numbers twelve—seven boys and five girls. The scholars are apt to learn, and take an interest in their studies. All, except the new additions, are able to read and write and cipher in the fundamental rules. I have had the boys to cultivate quite an extensive garden, in which they take great delight. The prospect at present is very flattering for vegetables. The girls, under the supervision of Mrs. Frazer, have progressed rapidly in her department, being pretty well advanced in the culinary art. They are also able to knit their own stockings and cut and make their dresses. In this department they spend most of their time.

I would respectfully recommend that the school-house be enlarged, so that a portion of it can be set apart exclusively as a school-room. At present the scholars are compelled to cook, eat, sleep, study, and recite in the same room, which I find impossible to reconcile with that degree of neatness and order which should characterize the room in which any properly conducted school is kept.

I heartily recommend the continuance of the manual labor system in connexion with book education, as I believe it to be the most effective means of educating and civilizing the Indians.

Very respectfully, your obedient servant,

L. B. FRAZER, *Teacher.*

Hon. BEN. SIMPSON,
United States Indian Agent.

No. 6 B.

SILETZ INDIAN AGENCY, *August 30, 1865.*

SIR: In compliance with the requirements of the department, I hereby respectfully submit the following report:

During the two months that I have been in attendance upon the Indians of this reservation I have had but few cases of acute disease. Some cases have proved fatal on account of the want of proper attention to nursing, cleanliness, and proper clothing, &c.

It is difficult to make them follow the directions of the physician. They require a constant watch to see that the medicines have been properly administered, and to see that they are properly nursed. The general health of the Indians is at present, and has been for the last two months, unusually good.

I would respectfully suggest the necessity of erecting a suitable building for a hospital. Such a building is much needed for the comfort of the sick Indians; also the purchasing of a better supply of medicines, instruments, and hospital stores.

Very respectfully, your obedient servant,

WILLIAM Y. DEERE, *Physician.*

Hon. BEN. SIMPSON,
United States Indian Agent, Oregon.

No. 6 C.

SILETZ INDIAN AGENCY,
Oregon, August 30, 1865.

SIR: I have the honor to herewith submit my first annual report of the farming operations on this agency.

The season having been favorable, the crops yielded more than any previous year. On the "home farm," under the supervision of Assistant Farmer Copeland, there have been raised 600 bushels of wheat, this from forty acres, at an average of fifteen bushels to the acre, owing to the shortness of the dry season here. Fall or winter wheat has been sown, and invariably fell short of the anticipated yield. Early spring wheat is earnestly recommended in lieu of the present wheat. The oats, seventy-five acres, but partly harvested, will turn out twenty-five bushels to the acre, or 2,175 bushels, an abundance sufficient to supply the wants of all the Indians. Fifteen acres of meadow produced thirty-nine tons of timothy hay. The potatoes, one hundred acres, look fine, and, if no accident occurs to thwart present expectations, the yield will not fall short of 25,000 bushels. The Indian gardens in most cases have done well, and have furnished plenty of vegetables during the past summer. It is impossible to give a correct estimate of the amount of cabbage, parsnips, carrots, beans, &c., &c., soon to be gathered for winter use. There have been eleven frame and four log houses built during the past year, besides erecting barns and building fences. Much progress has been made in this respect, with the prospect of plenty before them. The Indians are generally contented, and desire to improve and cultivate their land.

CHASTA SCOTON FARM.

The farming on this place has been usually successful during the past year, the wheat crop being an exception. Of the twenty acres sown and standing there is not enough good wheat to warrant harvesting. Owing to heavy fogs, common to this locality, the wheat is not filled. The oats are good, and will yield twenty-five bushels to the acre. Potatoes bid fair to produce more than an average yield. Of the fifteen acres planted, I think it is safe to anticipate 3,000 bushels. Three acres of peas and a large quantity of vegetables, the result of careful gardening, exhibits a return for time and labor expended highly satisfactory to the Indians. The fences on this farm have all been torn down and rebuilt, making the farm larger, and by dividing the same, gives excellent pasturage a part of the time. Six frame houses have been built, garden fences and barns repaired, and in fact every effort made to make the Indians comfortable during the coming winter.

UPPER FARM.

The Indians on this farm have made great progress in tilling their land. I respectfully refer you to the following statement of acres planted and probable yield:

Tribes.	Total number acres.	Number of acres by Indians.	Number of acres by government.	Acres of oats.	Acres of potatoes.	Acres of hay.	Remarks.
Rogue Rivers and Grease Creeks.	200	155	24	25	10	....	Pots look well; 21 acres used for past'e; no wheat sown; eight tons of hay. Oats not entirely harvested yet.
Coquilles				30	10	....
Chasta Costas				35	24	....
Government				20	....	4	
Total	200	155	24	110	44	4	

Aside from this, the gardens have produced finely, and will supply much healthy food. As each representative or head of a family has a garden, it is impossible to give a correct report as to the probable yield in kind and quantity. What grain has been harvested is stored away carefully in dry barns, secure from the wet weather. This farm is in charge of Assistant Farmer Wm. C. Bocke, whose government and manner of working the Indians give general satisfaction.

Before closing, I would respectfully call your attention to the desire evinced by these Indians to gather about them a thousand little necessities in imitation of the whites, for which they labor whenever a chance offers. These are marks of growing industry and emulation worthy of encouragement.

LOWER FARM.

This farm contains 250 acres under fence, most of which is under thorough cultivation. Here, as on the upper farm, too much cannot be said in praise of the faithfulness with which these tribes obey the instructions of the farmer. The results, too, exceed any previous year.

After referring you to the excellent condition of the barns, fences, &c., &c., I respectfully submit for your consideration the following table:

Tribes.	Total number of acres.	Number of acres cultivated by Indians.	Number of acres cultivated by government.	Wheat.	Oats.	Potatoes.	Peas.	Remarks.
Sixes	250	169	84	5	4	40	4	47 acres used as pasture. These tribes are nearly through harvesting.
Port Orfords..				4	5	30	3	
Mult-nort-nas.				10	10	30	5	
Uchres				8	8	15	5	
Government..				.....	30	.....	4
Total.....	250	169	84	27	57	115	21	

The gardens on this place yield well, proving to the Indians that labor brings its reward. In many cases the gardens have been enlarged with a view to more extensive operations in future. Assistant Farmer J. Willis exerts a kind but firm control over the Indians. These Indians are greatly inclined to improve their lands and maintain an individual independence very encouraging.

Respectfully submitted,

Your obedient servant,

R. A. BENRELL,

Farmer to Chasta Scoton and Superintendent of Farming.

Hon. B. SIMPSON,

United States Indian Agent.

No. 7 A.—Statistics of education, &c., at the New York agency, 1865.

Tribes.	POPULATION.			Wealth in individual property.		SCHOOLS.		NO. OF SCHOLARS.		NO. OF TEACHERS.		Under charge of what denomination.	Amount contributed by State school fund.	Amount contributed by individual Indians.	Number of mission-aries and their denominations.	No. who have been enlisted in U. S. A. from beginning of the war.
	Male.	Female.	Total.	Male.	Female.	Number.	Location and denomination.	Male.	Female.	Male.	Female.					
Alleghany reservation.....	419	406	825	\$60,000		9		75	100	6			\$739 00		1 Congregational.	40
Cattaraugus reservation.....	700	603	1,303	85,000		9		170	180	8			1,479 00		3: 1 Methodist; 1 Baptist; 1 Congregational.	85
Onondaga reservation.....	172	188	360	15,000		1		48	27	1					1 Baptist.	10
Tonawanda reservation.....	223	281	504	70,000		2		40	44	2					1 Baptist.	52
Tuscarora reservation.....	180	190	370	80,000		2		53	60	2			502 88		1 Congregational.	23
Oneida.....	96	109	205	15,000		2		36	41	2					1 Methodist.	8
Oneida with Onondaga.....	37	45	82	5,000												
Onondaga with Seneca.....	80	95	175	10,000												
Cattaraugus with Seneca.....	75	85	160	8,000		1		23	35	2		Congregational.				
Joseph Aylmum.....								445	497		23					
	1,987	2,002	3,989	308,000		22										

No. 7 B.—Statistical return of farming, &c., at the New York agency, 1865.

Tribes.	Size of reserve—acres.	Acres cultivated by Indians.	Log houses.	WHEAT RAISED.		CORN RAISED.		RYE RAISED.		BARLEY RAISED.		POTATOES RAISED.		TURNIPS RAISED.		HAY CUT.		HORSES OWNED.		CATTLE OWNED.		SWINE OWNED.		SHEEP OWNED.		SUGAR MADE.	
				Bushels.	Value.	Bushels.	Value.	Bushels.	Value.	Bushels.	Value.	Bushels.	Value.	Bushels.	Value.	Tons.	Value.	Number.	Value.	Number.	Value.	Number.	Value.	Number.	Value.	Pounds.	Value.
Allegheny res.	30,469	2,436	54	174	\$2 00	6,260	\$0 75	329	\$1 00	82	...	4,770	\$0 50	47	\$0 40	434	\$10 00	84	\$60 00	377	\$20	289	\$5 07	55	\$3 00	633	\$0 30
Cattaraugus	21,680	4,962	43	3,082	12,385	3,219	...	...	...	...	...	11,104	...	...	285	759	...	285	...	907	...	424	...	24	...	972	...
Onondaga	...	569	40	1,107	...	...	...	...	...	...	...	1,217	...	...	...	96	...	59	...	137	...	346	...	7	...	...	...
St. Regis	...	4,826	13	1,813	...	...	...	...	...	...	...	3,760	...	...	...	773	...	119	...	186	...	181	...	...	...	...	...
Tonawanda	7,000	2,006	18	2,024	...	814	...	50	...	...	...	3,161	...	...	...	261	...	95	...	223	...	285	...	152	...	575	...
Tuscarora	6,000	3,372	27	3,471	...	4,184	...	...	...	...	...	1,468	...	4	...	541	...	122	...	308	...	217	...	54	...	1,206	...
Total	...	18,171	195	11,671	...	26,366	...	379	...	392	...	25,480	...	51	...	2,864	...	764	...	2,140	...	1,632	...	292	...	3,478	...

* 62 plank and stone houses in addition. † 103 plank houses in addition. ‡ 11 plank and block houses in addition.
 † 63 plank and brick houses in addition. ‡ 2 stone and brick houses in addition. ‡ 3 stone and plank houses in addition.

SHAWNEES.

No. 8

SHAWNEE AGENCY, DE SOTO, KANSAS, *October 17, 1865.*

SIR: The general condition of the Shawnees has been quite as favorable for progress and development of civilization during the last year as at any time since I have been in charge.

The population has slightly diminished, there being eight hundred and forty-five souls—three hundred and ninety males, and four hundred and fifty-five females.

About one hundred and twenty-five Shawnees have been enlisted into the United States service during the war; besides, about eighty (it being all the able-bodied adults) organized themselves into a military company and did good service in assisting to defend the State against General Price's rebel raiders in October, 1864.

Most of the crops, with the exception of wheat and oats, were a full average; the wheat was injured by freezing, and both wheat and oats were badly damaged by the heavy rains during the harvest. Owing to the scarcity of teams, many of their horses and mules having been appropriated by bush-whackers and *excessively loyal men*, they did not put in so great a breadth of crops as usual, while the growth has been unusually large.

Owing to the high price of provisions and clothing, the Friends' manual labor school was compelled to suspend, and there was no school for the education of the Shawnee children for the first half of the year. But a new contract was entered into by the said parties, under which a school was commenced on the first day of April, and which is now in successful operation. Said contract provided for the education, board, clothing, &c., for forty Shawnee children of either sex, at the rate of thirty-one dollars and twenty-five cents per scholar, per quarter. The number in attendance has exceeded the requirements of the contract, yet there has been no charge for the excess over forty.

The largest proportion of the scholars are orphans, and are sent to school not only to secure them an education, but good homes. The most of them are new beginners, some of them unacquainted with the English language, but, as a general thing, exhibit a good degree of interest, and seem to be making considerable progress in education. The scholars are remarkably healthy, comfortably clad, and appear contented and happy, with a less desire to get away from school than has been manifested heretofore. The rooms occupied by the children are somewhat crowded at present, but the committee have taken steps to obviate that difficulty. With this exception, the appearance of the school is quite flattering to its managers.

The superintendent's report for the fractional year ending September 30 is enclosed, and forms a part of this report.

About the same number of Shawnee children attend the common schools of the State as last year, (it being about twenty.) Were it not for two causes, it is probable that a much larger number would attend the State schools. First, the Shawnees do not desire, at the present time, by accepting any favors from the State, to put themselves in a position where the State can extend its jurisdiction over them, and give a legal right to tax their lands. Second, there is a prejudice existing in the minds of some of the whites against admitting them into the schools, the same as exists against persons of African descent, and the natural pride of the Indian is such as would prevent him from sending his children to a school where they

would be despised; and if this was the only opportunity, they never would be educated.

There are no regular missionaries among the Shawnees, although they have preaching every sabbath by some of their own number, or some of the white preachers of the Methodist Episcopal denomination. The Friends hold religious meetings at their manual labor room two days every week, for the benefit of the scholars, and such other Shawnees as choose to attend.

The subject of taxation is still a source of trouble and annoyance to the tribe. An injunction was served upon the commissioners of Johnson county in 1863, to restrain them from collecting taxes assessed upon their lands. The case was heard at the district court the same year, and decided against the Shawnees. It was taken to the supreme court of the State, and was sent back for new testimony, with instructions. At that court it was decided against the Shawnees again, and again taken to the supreme court, and there decided that the lands were taxable, and the injunction was dissolved.

The opinion of the court I have been unable as yet to obtain, although I had intended to make it a part of this report. Mr. Wilson Shannon, the attorney for the Shawnees, and one of the most able lawyers in the State, is of the opinion that if this case should be taken to the Supreme Court of the United States, the decision would be reversed.

The expenses attending this suit have already amounted to nearly eight hundred dollars, which has been paid by a few individuals; the tribe, as such, having no means which could be applied to that purpose.

The Shawnees believe that their treaty with the government is such as to guarantee the protection of their property, and feel that they have the right to expect such assistance as will enable them to take their case to a tribunal that is not likely to be affected by public opinion or personal interests. It will be seen by reference to the Commissioner of Indian Affairs' report for 1864, on page 37, that, with reference to this subject he says: "And the agent has been instructed to cause an appeal to be taken to the United States court in case the decision is adverse to the Indians." The said instructions never have been received by me. I have not deemed it proper to act in the premises without proper authority.

Another source of trouble has been produced by the opinion of certain, I may say a large number of legal gentlemen, as to the fee under which the Shawnees hold their lands. They claim that there can be no special restrictions as to the sale of their lands, from the fact that the Indians hold a patent from the government, called a fee simple title, and claim that a conveyance made in accordance with the statutes of Kansas is a good title, and that no other is good. This opinion had become so popular that at the last legislature a bill was introduced, and passed both branches of that body by a large majority, and became a law, confirming all deeds of conveyance made in accordance with the statutes of Kansas by Indians who hold patents from the government, (a copy of which I herewith enclose.) The effect of this opinion, together with the act referred to, is to cause a large quantity of lands to be conveyed by common warrantee deeds. An Indian who has conveyed all the lands he can under the rules of the department, and, still possessed of large tracts which he cannot use, is made to believe that it is subject to taxation, liable to be sold for taxes, and that he is liable to lose his land altogether, without receiving any consideration whatever, easily becomes willing to sign any paper whatever that is satisfactory to the purchaser, provided he receives what he conceives to be a fair price for the land sold, and frequently for much less, for he is often told that the restrictions were made merely for the purpose of giving the white man a chance to get the land by tax title, and they are advised to sell at any price rather than get nothing. The purchaser, who is generally a stranger, is met by one of these legal gentle-

men on his first entrance into the country, who has his eye upon a piece of Indian land, or perhaps he has become the agent of the owner to sell the land. He very easily satisfies the purchaser of the ability of the Indian to make a title by referring to the "act." The purchase-money is paid, and although the purchaser has not a good title, he is almost sure of a lawsuit, and the lawyer of a case. A number of cases have occurred of this kind, where the grantor has since died, leaving to heirs a dispute, with a strong probability that the courts of Kansas will decide that the dispute is all they possess.

While the whites residing in the loyal States have been in an exceedingly prosperous condition, financially speaking, the Shawnees residing upon the border of Missouri, adjoining a country infested with bushwhackers and robbers, with less industrious habits and natural shrewdness than the whites, without the ability to take advantage of the opportunities which have occurred to accumulate wealth, have only experienced the evils of a terrible intestine war; and when we take into account the fact that for ten years they had been receiving from government large per capita annuities sufficient to furnish them with all the necessaries of life, without being compelled to labor, it is not to be wondered at that a partially civilized tribe of Indians, like the Shawnees, should have lost their former industrious habits, and become a prey to the unprincipled whiskey dealer and debauchee, and as a consequence become poverty-stricken, and in many cases destitute of the means of living; and while there are many families who have made good use of their annuities, have fine farms, are industrious and moral, and would be honored and respected in any community, yet the masses, although rich in lands, are totally unable, in their present condition, to relieve themselves of the difficulties by which they are surrounded. It was in view of these difficulties and the condition of a large number of the Shawnees that led me to advise the removal of the restrictions lately placed upon the sale of their lands, in order that they might be enabled to pay their taxes and to furnish themselves with the necessaries of life during the approaching winter.

In my opinion the selling of a reasonable portion of their land does not necessarily impoverish the tribe.

I am fully of the belief, from my own personal observation, that the land retained would sell for more money to-day than all the land would two years ago. The increased price has been produced partially, at least, from the fact that nearly all the land purchased of the Shawnees has been purchased by or for actual settlers, and who are now in most cases residing thereon. At the making of the last treaty, on the 10th of May, 1854, there was a difference of opinion among the Shawnees as to the policy of taking their lands in severalty, and a compromise was made by providing for both parties opportunities to realize their wishes. A large majority (700) made selections, and one hundred and sixty-one elected to hold their land in common, in what was known as the Black Bob settlement; otherwise there was no distinction between the parties. The tribe had already established a republican form of government, which the majority of the tribe were well satisfied with, but a few of the members of the Black Bob settlement became desirous to return to their former customs and to hereditary chieftainship, and eventually this question became a bone of contention, and finally a bitter animosity was manifested by those who held their land in common against those who held their land in severalty, refusing to recognize the officers of the tribe if they happened to be of those who held their land in severalty, claiming that by the act of making selections they had expatriated themselves from the tribe, and could not be considered any longer members. This schism was taken advantage of by Indian claim agents and petty lawyers to mag-

nify the difficulties and keep up the feud in order to obtain fees. The matter in dispute had been submitted to different officers in the Indian department, and in every instance the decision has been that all the parties to the treaty of 1854 were still members of the united tribe of Shawnees. The question is still being agitated, but I am happy to say that an arrangement has been agreed upon by which it is hoped that the question will be finally settled and the parties again united in friendly relations.

The members of the Black Bob settlement were compelled to leave their homes in the early part of the war and move to the western part of the reservation, on account of difficulties on the border; since that time they have resided in temporary shanties and tents. Their cabins at their homes were nearly all destroyed, and a prospect of moving into the Indian country has deterred them from building anew. Most of them have cultivated gardens or small fields, but have not raised sufficient to last them through the winter, and I would suggest the propriety of making some provision for their assistance during the winter. The absentees, or more properly the refugee Shawnees, about one hundred and sixty in number, who formerly resided with the Creeks, and who were driven away with them by the rebels, are now residing within this agency; they some expect to return to the Creek country soon. Whether they go or stay, they will require some assistance the coming winter.

Owing to the unsatisfactory condition of the Shawnee affairs, they desire without distinction of party to make a new treaty with the government, dispose of their lands, and purchase a new home in the Indian territory. They have already partially negotiated with the Creeks for a tract of land lying between the Verdigris and Arkansas rivers, and I am clearly of the opinion that a delegation of Shawnees representing the different interests of the tribe, by going to Washington and submitting their questions of difference to the department, could easily settle all their difficulties, and make a treaty that would be satisfactory to all parties, and they be relieved from the troublesome and discouraging complications by which they are now surrounded.

All of which is respectfully submitted.

J. B. ABBOTT, *U. S. Indian Agent.*

Hon. D. N. COOLEY,

Commissioner Indian Affairs, Washington, D. C.

No. 8 A.

FRIENDS' SHAWNEE MANUAL LABOR SCHOOL,
10th month 20, 1865.

FRIEND: In compliance with school contract between the Indian department, the Shawnee council, and the committee of Indian Yearly Meeting of Friends, herewith is presented our general report as superintendent of said school for the fractional part of a year of six months' duration, ending 9th month 30, 1865.

There have been more than forty scholars in attendance nearly all the time, although we are not expecting pay for more than specified in contract.

We think there has been an increased interest in learning, with progress nearly equal to that of common white schools.

The scholars have been mostly small children under ten years of age, and new beginners; consequently there have been no branches taught higher than arithmetic and geography. They all, both male and female, manifest an aptness to domestic affairs, which they have been taught out of school hours.

Some of the boys are quite good farm hands, and some of the girls are neat housekeepers. The children all appear to be healthy, and we have had but very little sickness during school.

The proportion of male and female has been about equal, and about one-half of them are orphan children.

ELISHA PARKER, *Superintendent.*

J. B. ABBOTT,
United States Agent for the Shawnees.

No. 8 B.

Statistics of the Shawnee agency, 1865.

Size of reservation, 200,000 acres; 45 frame houses, 150 log houses.

Bushels of wheat raised, 3,000; value, \$6,000. Bushels of corn raised, 20,000; value, \$10,000. Bushels of oats raised, 2,500; value, \$1,250. Bushels of potatoes raised, 800; value, \$800. Bushels of turnips raised, 250; value, \$125. Tons of hay cut, 400; value, \$2,400. Number of horses owned, 300; value, \$15,000. Number of cattle owned, 600; value, \$12,000. Number of swine owned, 1,000; value, \$3,000. Number of sheep owned, 580; value, \$2,320. Gallons of sorghum sirup made, 50; value, \$50. Feet of lumber sawed 50,111.

Population: male 390, female 455; total, 845.

Wealth in individual property, \$557,785.

School, 1, (Friends' mission;) 1 teacher, 45 scholars.

One hundred and twenty-five enlisted in the United States army.

No. 8 C.

An act concerning Indian land titles.

Be it enacted by the legislature of the State of Kansas :

SECTION 1. That all members of Indian tribes, to whom lands have been granted by the United States, in this State, and who have received patents therefor, are hereby authorized to sell or convey the same, by deed in fee-simple, or to mortgage the same with the like effect and under the same restrictions and limitations as are provided by law for conveyancing in other cases.

SEC. 2. That all conveyances heretofore made under the laws of the State of Kansas, regulating conveyances by said Indians since patents issued therefor, are hereby declared to be good and valid.

SEC. 3. This act to be in force from and after its publication once in the Topeka State Record.

Approved February 1, 1865.

S. J. CRAWFORD, *Governor.*

The foregoing is a true copy as published in the Topeka State Record, of the 17th day of February, A. D. 1865.

JAMES B. ABBOTT, *U. S. Indian Agent.*

No. 9.

Statistics of Pawnee agency, 1865.

Size of reservation, 15 by 30 miles ; number of acres cultivated by Indians, 1,400 ; ditto by government, 200.

Houses, 11 frame and log.

Bushels corn raised, 35,000 ; ditto beans, 150.

Tons hay cut, 75 ; number of horses owned, 1,600.

The Indians' corn, beans, and squashes were very fine ; said to be the best crops ever raised by them at the agency. They have plenty for their own use, and I think they will have quite a surplus to spare.

D. H. WHEELER, *Agent*.

(Received November 20, 1865.)

ARIZONA.

No. 10.

SUPERINTENDENCY OF ARIZONA, *October 18, 1865.*

SIR : In compliance with the requisition of the Indian department, I have the honor to make the following report of the condition of Indian affairs within this superintendency, so far as I am able to obtain information, from observation and reliable sources, in the short time I have been here—since June 10, 1865. Want of funds (the appropriation for the year not having reached me) renders it impossible for me to make as full and correct a report as I desire and the exigencies of the case require.

COLORADO RIVER INDIANS.

The Indians on the Colorado are now composed of the Yumas, Mojaves, Yavapais, and Chemihuevis, who live immediately on the river, and the Huapies, who occupy the country adjoining, and between the Mojaves and the town of Prescott, on the Mojave road leading to the latter place. The Mojaves and Yumas have cultivated the river bottom this year to a considerable extent. Their crops at the commencement of the season bid fair to yield abundantly, but, owing to the drought in the latter part, have failed to a considerable extent. They will soon be in a destitute and starving condition. The mesquite bean, that has heretofore yielded them sufficient food to allay the gnawings of hunger, this year has failed to a considerable extent.

The Yavapais, through my inducements, on account of anticipated military operations, moved from their country lying between the Mojaves and a line east and near Prescott, on to the river bottom below this place. They were located by me between the 1st of July and 1st of August, and immediately commenced planting under the supervision of an experienced white farmer, Mr. C. C. McDermott. Their crops, like the Mojaves, and for the same reason, and partly perhaps on account of the lateness of the planting, have not yielded as abundantly as first indicated by their appearance. The experiment, however, has fully demonstrated the practicability, if their labor be properly directed, of the reservation and irrigating canal recommended to Congress by my predecessor. In connexion with the past failure of the crops, and unfortunately, about the 8th of September last, a war broke out between the Utes and Chemihuevis on one side, and the Mojaves, allied with the Yumas and Yavapais or Apache-Mojaves, on the other. The cause of the

outbreak I have as yet been unable positively to determine. The result of this trouble thus far has been to destroy almost entirely the remnant of their crops left by the drought, and fearfully diminish their chances for subsistence during the present winter. I immediately, upon hearing of the difficulty, took such steps as I deemed advisable and expedient to stop it. Thus far I have succeeded in obtaining a suspension of hostilities, and a promise to call a council of the chiefs of the contending parties, and have the matter settled. It is of vast importance to the government, and to the settlers residing on and in the vicinity of the river Colorado, that an immediate settlement of the matter be had. There is imminent danger of the settlers becoming mixed up in the affair. They have become so exasperated by the hostile Indians of the Territory, that it is with difficulty that they can be restrained in their arbitrary and unfriendly actions towards even the Mojaves, who are noted for their general friendly and good feeling towards the whites. I have advised the settlers to maintain a neutral ground, except in cases where women and children or stragglers from either party place themselves under their protection; in that case, protect them so long as they remained neutral. During the excitement, and at the first breaking out of the difficulty, the citizens of La Paz, (the largest and only commercial town of importance on the Colorado,) becoming alarmed at the hostile and impudent position assumed by the Yavapais or Apache-Mojaves and Chemihuevis, with myself, petitioned General J. S. Mason, military commander of this district, for the immediate location of a company of troops at this point for protection, which, I am happy to say, were immediately forwarded from Fort Yuma, and are now stationed near this place, but not permanently. The salutary influence of their presence was instantly discernible in the conduct of the Indians, and matters again assumed their usual routine.

The condition of the Indians on the Colorado river is truly lamentable; with but little food, their crops in a great manner destroyed and ruined, at war with each other, subject to continual raids, expecting assistance from the government, and suffering under the ban of suspicion from the settlers—all tend to call for relief. The department, under these circumstances, should at once take such steps as to stop the present and all future difficulties. I would here most respectfully recommend, in connexion with this, and an eye to the future subjugation of the hostile tribes, pursuing the policy heretofore adopted by the government—(placing them upon reservations) that two additional reservations be set apart for the colonization of the different tribes on the Colorado—one at a point about thirty-five miles below this point, especially for the Yumas and Yavapais; and one in the Mojave valley, below and near Fort Mojave, especially for the Mojaves and Hualapies, and for such other tribes as the department saw fit to locate thereon. The land at these points is of a quality surpassed by none other on the river. Each of the points recommended contains from 15,000 to 20,000 acres. To meet the necessities of the present, I would respectfully suggest and recommend that an appropriation from the contingent fund be made of a sum sufficient to procure the necessary subsistence for the coming winter. From a careful estimate, I find that the sum required should be twenty-five thousand dollars, which sum should be placed at San Francisco, as it is evident much more can be realized for the amount at that point than at any other. Should my recommendation meet with your approval, it is my intention to cause the amount to be invested in corn and beef cattle, which will procure sufficient to carry the indigent and needy through the winter, and meet the demand of other tribes which may be thrown upon me by the result of the military campaign now organizing in this Territory, and other circumstances.

My policy, since assuming my official duties, has been to maintain honorable, friendly terms with those tribes who were friendly, and induce those in a semi-hostile position to join them. I am induced to believe, from the already visible results, that the policy has been a correct one. Upon my arrival I found the Yavapais or Apache-Mojaves and Hualapies in a semi-hostile position against the whites. I found that a considerable number of them were banded together with the hostile Apaches, and were infesting the roads, paths, and by-ways leading from the river to the capital and other points, and which at one time assumed such dimensions as to cause the communications from the river to the interior to be considered doubtful. You can but poorly imagine the consternation of the citizens of this portion of the Territory. The merchant refused to forward his goods; the miner and settler were dependent upon him for the necessaries of life. Abandonment of this portion of the Territory was freely and earnestly discussed. At this stage, through the influence of Iretiba, the Mojave chief, and Cuesucemar, chief of the Yavapais, worthy chiefs of their tribes, eight hundred of the Yavapais or Apache-Mojaves came in to the river, and went peaceably to work, thereby reducing the source of obtaining recruits by the hostile tribes, and placing a portion of the semi-hostile tribe of Yavapais in a position easily managed and influenced. The Hualapies have not as yet come in to the river. I authorized Mr. Hardy, of Hardyville, to expend the sum of three hundred dollars in presents, to be distributed among them for the purpose of inducing them to join the Mojaves on the river, or at least to remain peaceable. I have, to a considerable extent, succeeded, as there is but one small band in open warfare against the whites. I am in hopes, through the influence of military posts which are being established along the Mojave road leading to Prescott, and through my own exertions, assisted by the friendly chiefs, that my intentions will be consummated and friendly relations produced. I cannot urge upon the department in too strong terms the necessity of their immediate and vigorous action in this matter. The development of the richest mineral, and most accessible portion of the Territory, is dependent upon it, the rapid increase of immigration, and the geographical position of the Territory with the Mexican States demand it.

In concluding with the river Indians, I would again most respectfully recommend, for the action of Congress and the department, the setting apart two additional reservations, as heretofore recommended, and that such steps may be taken as are deemed advisable to secure that end. The Indians now living upon the river number in the vicinity of ten thousand, subject to a continual increase from the hostile tribes.

COCOPAS.

The Cocopas, living near the mouth of the Colorado, although, with the exception of a small portion, actually within the boundaries of Mexico, but having no intercourse with that government, and the friendship which they have always exhibited towards the Americans, is sufficient to induce some attention from this superintendency, and which I believe will be beneficial in the navigation of the mouth of the Colorado.

They have received no assistance from me, nor do I deem it necessary. I have heard of no complaints from that section.

PIMAS AND MARICOPAS.

The Pimas and Maricopas have produced largely this year from their reservation, and find a ready market to the troops, miners, and settlers. I have not had the pleasure, from circumstances which I have already stated,

to visit them personally, but from reliable information I am induced to believe that their necessities are not urgent, except for agricultural implements. They have shown a desire to unite with the whites against the common enemy, the Apaches, and have on one or two occasions, under the direction of the military authorities, made forays into the Apache country; but from reports, I regret to say, without any beneficial result. They number about six thousand souls.

PAPAGOS.

The Papagos are a branch of the Pimas, and reside south of the Gila river, near and at the mission known as San Xavier del Bac; a portion are living upon the reservation set apart by my predecessor at the said mission. The land in their country is not of that arable nature that will insure agricultural success without material aid from the department, and which should be judiciously rendered. They raise a considerable number of cattle, are economical and industrious, and with proper assistance and attention can be advanced to a high state of civilization. I would recommend the removal of the balance of the tribe to the reservation set apart for them, and there placed under the supervision of a moral and honest agent. They number, living within the boundaries of the Territory, about five thousand souls.

MOQUIS.

The Moqui Indians are situated in the northeastern portion of the Territory. From their isolated position, and difficulty of reaching them, being required to pass through the very heart of the hostile tribes, and other reasons, I am unable to make a satisfactory report, or any suggestions concerning their advancement.

APACHES.

The hostile Apaches are composed of numerous bands extending over at least two-thirds of the Territory, and occupying the portion east from a line drawn north and south about one hundred miles east from Colorado river, ranging from the northern settlements of Arizona to the very centre of the border States of Mexico. The country which they inhabit is perfectly adapted to their mode of life and warfare. Accustomed to the scorching sands of the desert and burning rocks of the "Mesa," they move with rapidity and ease, and therefore make pursuit difficult. Their numbers have been estimated from sixteen to twenty thousand souls; their probable number is about fifteen thousand. The most dangerous and warlike of the bands are called the Tintos, Penals, Quietaroes, Surra Blancos, and Chile Cowes, who live principally in the northern and eastern portion of the Territory.

I have been informed by General J. S. Mason, military commander of this district, that by his order a reservation of twenty miles square has been set apart near Fort Goodwin for the colonization of these Indians, when subjugated. Never having visited that portion of the Territory, I am unable to form an opinion as to its advantages. The location (alluding to their retention upon reserves) being in the very centre of their country, where they are thoroughly acquainted with its secret haunts and hiding-places, renders its advantages doubtful. I am of opinion that with liberal appropriations many of the hostile Indians can be induced to colonize on reservations sufficiently distant from their present homes to render them safe from any future outbreaks, and easily guarded.

The war which is now pending with the hostile Apaches is one of vast importance to the Territory and government. The future development of its resources is dependent upon it. The astounding success of the raids made by the Indians, the uncertainty of life, the large amount of property and stock taken and destroyed by them, have truly made the war a formidable one. There is now considerable capital in the Territory invested in quartz mills, &c. They cannot, in several instances, on account of this war, locate them—they have abandoned their enterprise for the present. It is to be hoped that measures will be taken to remedy our many evils.

In concluding, I cannot urge upon the department in too strong terms the necessity of prompt and vigorous action with reference to the Indians in this superintendency. To maintain amicable terms with the friendly tribes it is necessary, at the present time, to assist and protect them.

The population of the Territory at this time is of such a mixed character, having many renegades and Mexicans, interspersed with considerable numbers of our own countrymen of doubtful character and loyalty, that it requires judicious and careful management to convince the Indians that the intentions of the department and of the good citizens are friendly, and for their advancement. Frequent and almost daily occurrences transpire, committed by these classes, which threaten to force us into a war with tribes that have long been at peace. These occurrences, connected with their destitution to meet the coming winter, the extraordinary success of the hostile tribes, may yet produce that result, which would be lamentable and of great expense to the government. Adding to the now hostile tribes a reinforcement of at least 6,000 warriors, comparatively well armed, with a full knowledge of the character and habits of the whites, the termination of such a war could not be foreseen.

I would here most respectfully recommend for the action of Congress and the department that an appropriation of two hundred and fifty thousand dollars (\$250,000) for the Indians of this Territory be made, to be expended upon the different reservations heretofore recommended, and to meet other contingent and necessary expenses. My reasons for recommending the above appropriations are simply—First. The character of the country is such that the Indians are accustomed and necessitated, to procure sufficient subsistence, to roam over an immense portion of it; for instance, Indians living upon the "Aqua Frio" and "Rio Verde" are frequently necessitated to move to "Castle Dome" and vicinity, within twenty miles of the Colorado river, and a distance of over a hundred miles from their chosen country. The influence of immigration, and the location of the settlers and miners, continually and steadily diminish their extent of country, and reduce their natural resources for subsistence; the advancement of the Territory must necessarily increase this perplexity. Second. The number of Indians friendly and hostile in the Territory are estimated at 35,000 souls. It is not improbable, from the active measures now in organization by the War Department against the hostile tribes, that they will be subjugated and placed upon reservations during the ensuing year. Is it not judicious, looking forward to that result which must eventually come, to be prepared for them? Would it not be economy for the government? They certainly will be destitute and dependent upon the department. For these and many other reasons, I deem that the sum recommended will not be more than sufficient to meet the urgent necessities of the case.

From the experiments made by me in agriculture during the present year, I am well satisfied and convinced that reservations upon the Colorado bottom can be made self-sustaining, and of peculiar advantage to the citizens; and I believe, from the desire exhibited by the Mojaves and portions of the Yavapai Indians to acquire a knowledge of farming, that, with a few years'

instructions they would equal if not surpass the "rancheros" of Sonora. The experiments in cotton and sugar cane alone are sufficient to justify my conclusions in the quality of the soil and the eventual success of the reservation.

I have been necessitated to expend for seed and other purposes for the use and benefit of the Indians on the Colorado the sum of about seven thousand five hundred dollars, which amount has been furnished me by citizens doing business at this place. They were equally impressed with myself of the necessity of acting in a manner discernible and understood by the Indians, and therefore came forward to my relief. The amount expended, together with the Indian labor, has sustained the tribes during the past summer.

Believing that the Indian affairs of Arizona under the circumstances have been managed as well as possible, with perhaps too much zeal,

I am, sir, your obedient servant,

GEORGE W. LEIHY,
Superintendent Indian Affairs, A. T.

No. 10 A.

YAVAPAI RANCH, October 15, 1865.

SIR: In compliance with instructions received from your office, I have the honor to submit the following report on the present condition of the Yuma and Yavapai tribes of Indians:

In my capacity as agent of these tribes of Indians I have been able to effect very little towards ameliorating their condition, owing, as you cannot but be aware, to the want of means to do with. So far as regards the Yuma Indians, living as they always have on the river, and possessing land of considerable extent and fertility, they are not at the present time in want of any especial aid from the superintendency. Owing to the great overflow of the river the past season, their crops have been abundant and of excellent quality. Still they are quite destitute of many articles which are really essential to insure their future well-being. I would strongly recommend that a distribution of farming tools and blankets be made to them at as early a day as possible.

Regarding the Yavapai Indians, their condition is far different from that of the Yumas. You are aware that at the time these Indians were induced to come in and settle on the river bottom, the planting season was far advanced; indeed, it was so late, but a small portion of their crops reached maturity. From this fact they have been, and still are, in a destitute condition, and unless ample provisions are made for them at once their suffering will be intense.

I strongly recommend that a substantial supply of flour and other staple articles of food be furnished this agency without delay. Mr. C. C. McDermot, who is employed as farmer by me, has rendered excellent service in assisting to teach these Indians to till the soil, and thereby gain their own livelihood. It is to be hoped that another season may see this tribe of Indians as far advanced in the art of agriculture as their more fortunate neighbors, the Mojaves and Yumas. In compliance with the terms of a circular from the Department of the Interior, a copy of which I beg to acknowledge, I herewith enclose a report of persons employed at this agency.

Your obedient servant,

GEORGE H. DORR.

Hon. GEORGE W. LEIHY,
Superintendent of Indian Affairs.

CHIPPEWAS OF LAKE SUPERIOR.

No. 11.

OFFICE OF THE LAKE SUPERIOR INDIAN AGENCY,
Bayfield, Wisconsin, November 10, 1865.

SIR: I have the honor to enclose herewith annual report of the condition of the Indians within this agency.

I regret my inability to forward the same earlier. Since the commencement of the distribution of the annuities to the Indians there has been a succession of heavy gales of wind, and I have been harassed and delayed at every point.

I trust the above excuse will be sufficient.

Very respectfully, your obedient servant,

L. E. WEBB, *U. S. Indian Agent.*

Hon. D. N. COOLEY,

Commissioner Indian Affairs, Washington, D. C.

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AGENCY OF THE CHIPPEWAS OF LAKE SUPERIOR,
Bayfield, Wisconsin, November 8, 1865.

SIR: I have the honor to submit herewith my fifth annual report of the condition of the Indians within this agency.

The payments for the present year have been made, with the exception of the payment to the Lac de Flambeau Indians, who refused to come to Bad river for their annuities.

The payments were made as follows, viz: At Fond du Lac, September 27; at Red Cliff, October 3; at Grand Portage, October 16; and at Bad river, October 26.

It was so late when the payment at Bad river was concluded, that it was impossible for me to get the goods transported to Wausau and make the payment before the ice would make in the rivers. In a communication from the Commissioner of Indian Affairs, under date of January 27, 1864, in reply to one asking his consent to make the annuity payment for the year 1864 at Wausau, I quote as follows, viz: "Under the above considerations you are hereby authorized to make the next payment at Wausau as requested, and you will instruct the Indians at the payment that it must not be considered as a precedent for future payments to be made there." The Indians were influenced to refuse to go to Bad river by some half-breed traders and whiskey sellers, who hoped to get a large part of the money paid to the Indians if they could prevent their coming after their payment. I have written the chiefs that if they will come to the agency with a sufficient number of their young men to pack the goods, I will send the money and goods to their people.

The payments for the present year were made in coin, according to treaty stipulations, much to the gratification of the Indians, but they claim that the government is bound in justice to pay them the value of the coin for the payments made in currency in the years 1863 and 1864. In my opinion their claim is just, and I beg leave to recommend that the attention of Congress be called to the subject, and an appropriation asked for this purpose.

Since the discovery of gold on the north shore of Lake Superior, some difficulty has arisen between the Bois Fort bands of Chippewas and the whites. At the recent payment at Grand Portage, all the Bois Fort chiefs except one were present, and requested a council, that their views might be

communicated to their Great Father. They said that when the treaty of 1854 was made, only one of their chiefs was present; that the rest refused to go; that there are nine chiefs of the Bois Fort bands; that the name of only one chief appears signed to the treaty, and if the one chief did sign the treaty, (which he denies,) he did so without authority, and they do not consider themselves bound by it; that in 1856 they were sent for by the agent and requested to make another treaty. They say that but four were present, and if the treaty was made they know nothing about it; that the agent at that time gave them a paper and told them, "Next year you will get a payment for this paper." They say they kept the paper three years, and seeing no payment, threw it away; that the discovery of gold makes their land more valuable, and they expect their Great Father to be just with them.

I assured them that what they said should be communicated to their Great Father, and that he would see justice done by them; that he was always just with his red children, and they need have no fear.

They promised to remain quiet and peaceable, and not molest the whites who should come into the country. Within the past week there were rumors that they had forbidden the whites to come into the country. I would suggest the importance of settling the question with the Indians as to the title to the territory in dispute at an early day.

Most of the Indians have made but little progress in agriculture the past year. They seem to have been almost constantly engaged in grand medicine dances, jugglery, and conjuring. I am unable to report any progress or interest manifested in the schools. The Protestant mission, under the control of the American Board of Commissioners of Foreign Missions, has been sustained among these Indians for over twenty years. The board have decided to abandon it for want of sufficient encouragement to continue their labors.

There being seven reservations within this agency, and situated, as they are, so remote from the agency and from each other, it is impossible to give anything like a correct estimate of the products of the industry of the Indians.

The physician reports verbally that the health of the Indians has been good during the past year, and that nothing has occurred in the discharge of his duties calling for a written report.

Very respectfully, your obedient servant,

L. E. WEBB, *U. S. Indian Agent.*

Hon. D. N. COOLEY,

Commissioner of Indian Affairs.

MONTANA.

No. 12.

BLACKFEET AGENCY, FORT BENTON,
Montana Territory, October 2, 1865.

SIR: I have the honor to submit my second annual report of the condition of this agency. During the past year some changes have taken place both in the character of the country and the feelings of the Indians.

The rapid settlement of the Territory, and the great number of whites passing over the Indian country, to and from the mines, and settling up the rich valleys, building up large and flourishing towns in close proximity

to the Indians, has had a tendency to create in their ignorant minds a jealousy and prejudice against the whites, amounting in several instances to open hostilities, and resulting in bloodshed to both parties. The circumstances connected with these unfortunate occurrences I shall endeavor to relate as minutely as possible, for the information of the department.

In the month of December last, while a party of some twenty whites were hunting for peltries near the Little Rocky mountains, they had all their horses stolen from them by a party of fourteen Blood Indians, early on the night of the 15th of the same month, leaving them on foot two hundred miles from any settlement in the dead of winter. The snow was some fifteen inches deep, and the trail of the Indians easily followed. The theft was discovered about nine o'clock the same night, and nine of the whites followed in pursuit of the Indians, overtook them at daylight the next morning, fired upon them, killing two and wounding the third; the rest of the Indians fled and escaped, leaving the stolen horses behind, which the whites secured and returned to their camp.

This was the first difficulty that occurred, and this was supposed to have been forgotten, till spring opened, when the Indians showed evident signs of resentment, both in threatening words and stealing and pilfering. On the night of the 23d of April the Blood Indians stole forty head of horses from various persons then at this place. This act exasperated a certain portion of the whites to such a pitch, that on the night of the 22d May, while under the influence of liquor, they attacked a party of Blood Indians that happened to be here, killing three of them and driving the rest away, stating at the same time that they had got revenge for the horses stolen in April last. It is due to those who did not participate in this drunken affray to state that this dastardly act was committed by irresponsible persons, and severely condemned by the better class of citizens. On the 25th of May, while a party of ten men were cutting logs on the Marias river, they were attacked by a large party of Blood Indians, and the whole party brutally murdered. It is difficult to get the facts in this case, as no white men survived to tell the sad and brutal story. The Indians claim that the whites fired on them first, and they returned the fire. Some of the whites claim that the act was in retaliation for the murder of the three Indians on the 23d, while others contend that the Indians were entirely ignorant of this affair, as only four days had elapsed since the murder of the three Indians at this place and the massacre on the Marias.

While I cannot excuse the whites for the course they pursued on the 22d of May, I most heartily condemn the Indians for the wholesale massacre on the Marias. That this act was committed on their part in retaliation, and without any desire or expectation that a general war would ensue with the whites, is sustained from the fact that they immediately went north into the British possessions, and have (with few exceptions) remained there ever since, but a small portion of them having been within the limits of the United States (and those friendly) since that time; and no act has been committed since that would indicate anything but a friendly feeling on their part. I am therefore constrained to believe that this tribe, as well as all other tribes of the Blackfeet nation, are in earnest in their desire for peace with the whites.

The Indians of this agency have been seriously afflicted with sickness and death, from the measles, the past winter. The Piegans have lost two hundred and eighty; the Gros Ventres, one hundred and sixty; and the Bloods and Blackfeet tribes report the loss of fifteen hundred. Probably this number is exaggerated, but there is no doubt they have lost something approximating towards this number. It is customary with these Indians, when the headman of a lodge dies, to bury him in it, and leave it standing when

the camp moves. When the Blood camp moved this spring, fifty lodges were left standing (one-sixth of the whole tribe) in memory of fifty of their leading men. This was a sad affliction to the Indians; they could not account for the anger of the "Great Spirit," and looked about for a cause for their afflictions, and finally settled it among themselves that the whites were the cause of all their misfortunes. They had purposely poisoned the annuity goods, and given them out to kill them. This feeling rankled in their bosoms when spring opened, and this, together with the killing of five of their number by the whites, was the cause, no doubt, of the massacre on the Marias river.

During the latter part of the summer, two skirmishes have taken place. On the 11th August a party of some twenty Piegiens were met by a party of thirty Crows on the Marias river, some twelve miles from this place; a fight ensued, in which each party lost four men killed; the Piegiens, however, driving away the Crows, and remaining masters of the field. Both of these parties were guarding trains for the whites—one from, and the other to, Fort Benton. On the 23d of the same month a train of eighteen wagons and twenty-one men, while travelling to the mouth of Milk river for freight, (landed there by steamers,) were attacked by a large party of Assinaboines, and one man killed, and one wounded with an arrow; how many of the Indians were killed could not be ascertained, as they were carried away with them as fast as they fell. The Indians were driven away by the whites, and the train turned back, but met other trains bound for the same destination, and returned with them and secured their freight. This happened near the Big bend of Milk river, about one hundred and fifty miles from this place.

I have now given a full statement of such and all the depredations committed by Indians within this agency. Enough has been shown, I trust, to satisfy the department that my previous recommendation to establish military posts at this place, and at or near the mouth of the Muscle Shell river, was directed by sound judgment and prudence, and with an eye to the protection of the property and citizens of this Territory. Had these posts been established as I recommended nearly two years ago, these unfortunate men would have been living witnesses instead of dead ones to testify to the necessity of this recommendation. I hope no time will be lost in establishing these very necessary and important posts, for in no part of the country are they needed more.

In my former report I gave a full statement of the government farm, and when I left here in October last but one man, Mr. William Gay, was on the farm in the government employ, and he was there to protect the property and, if possible, to cultivate enough land to pay the expenses he incurred; there was seed enough on hand to raise a fair crop if sown. Mr. Gay was instructed to sow this seed in the spring, and hire help for that purpose only, if he needed it; this he did, and quite a field of wheat, oats, barley, and potatoes, together with other vegetables, was sown, but as the fates, or some evil spirit, has never failed to visit this farm yearly, this year was not to prove an exception to the rule. About the 10th of May a party of twenty-five Blood Indians came to the farm early in the morning and secreted themselves, and as the stock was let out of the corral, (where it was kept every night for safety,) made a rush and ran away every horse and mule belonging to the farm, together with several belonging to other parties that had been placed in the corral for safe-keeping. Not satisfied with this, they met the only yoke of oxen belonging to the farm, killed one and ran away the other, at the same time telling Mr. Gay and Mr. Paul, who pursued them, to come on if they wanted to lose their hair, (meaning their scalp.) These Indians have all the farm stock yet, consisting of two horses, four mules, besides numerous little farm implements, such as axes, carpenter's tools, and hand tools, which they have pilfered from time to time

on their visits to the farm; in fact they have taken everything they could lay their hands on and carry away with them, and threatened to come back and clean out the whites there, and burn the buildings. Under these circumstances Mr. Gay, acting under the advice of nearly every one at Fort Benton, left the farm and moved everything of value to the same place the 15th of June. The crop was left to take care of itself, and the wheat, oats and barley looked and bid fair to do well; but some evil-disposed person, while camping there with his train for the night, tore down the fences, let in his stock, and they completely destroyed everything. Since my arrival here I have discharged Mr. Gay, repaired the fences, nailed up the houses, and am now holding the property subject to the order of the department. I recommend that it be sold at public or private sale at an early day, believing, from practical experience, that farming for the Indians in this country (if I may so express myself) is effectually "played out" under the present system.

The annuity goods for this agency, bought in St. Louis, were shipped by the steamer St. John's March 20, and arrived here the 16th of June; the goods bought in New York, owing to their non-arrival in St. Louis, were not shipped till the 5th of April, on the steamer Lillie Martin. When this boat arrived at Fort Union the annuity goods were seized by the military authorities there and held in close custody, and the order from the department to me to take all the annuity goods at Fort Union belonging to the Blackfeet nation entirely ignored and its mandates disregarded, and the whole of these goods held, for no other reason, that I could see, but to gratify the foolish whim of a selfish and avaricious officer, who happened to be possessed for the time-being with a little military power. The act was a gross outrage, and assumed without the shadow of an excuse, for at that time it was not known that there was any difficulty with the whites and Indians in this nation.

I arrived at Fort Union the 18th of June, and learning the state of affairs, immediately called on the commandant of the fort, Captain Upton, and without much ceremony gave him my opinion of the outrage he had committed. His only excuse was that he had obeyed the order of his superior; he informed me, however, that the order for holding the annuities had been countermanded, and they were subject to my order. It was a consolation to know they were out of the hands of the military, but the evil (that of detention) had been accomplished, and it was too late to remedy it. It was an easy matter for a military officer to make or rescind an order, but not so easy to remedy the evil that order had created. It was too late to get the annuities up the river by boat; there was no alternative left but to haul them to Benton. Thus I was placed in a peculiar condition—that of correcting the errors of a military officer, and appeasing the anger of the Indians (then tending towards hostilities) with honeyed words of future promises, and all through the ignorance of one man, possessed for the time with a little brief authority. I had supposed that the military posts established on the Missouri river were for the protection of the persons and property of the citizens as they journey up the river, and to give aid and protect them from savage brutality, but my experience showed that I was wrong in my suppositions, for it was evident that these posts were established for the protection of the Indian traders and army sutlers; these were the only persons that were thoroughly protected, that I could see; these necessary evils in camp were protected, no doubt, to their entire satisfaction, as well as to the satisfaction of the commandant of the post. No one will believe for a moment that an Indian trader or an army sutler would sell any contraband articles in a hostile country; their patriotism and honesty, particularly in this country,

are too proverbial to believe anything inimical to their moral character or their loyalty.

I arrived at Fort Benton the 12th of July. All kinds of reports were in circulation with regard to the hostile attitude of the Blood Indians, and a great many were apprehensive of a general war with the whole nation. Thus far no Indians had participated in any hostilities towards the whites except the Bloods. I collected all the information about the Indians I could, and became satisfied that if they received their annuities as usual there would be no war, unless brought about by injudiciousness on the part of irresponsible whites; I had no fear of responsible men interfering with the Indians. The action of the military made it necessary for me, to prevent hostilities, to send a train of wagons to Fort Union after the annuity goods, and I deemed it my duty to confer with Governor Edgerton on this subject. On the 16th of July I left for Bannack, and arrived there the 30th, held a consultation with the governor, and he coincided with me in the necessity for sending for the annuity goods. I immediately employed a train and started it from Helena August 20, and I learn that it arrived safely at Fort Union, and is now on its way back with the annuities. I shall look for it here the 25th of the present month.

Three days since I held a council with some of the leading men of the Blood, Piegan, and Blackfeet tribes; they left here two days ago on their way to their camps with special messages to their people, as quiet and peaceful as I ever saw them. Their talk was good, and although the Bloods acknowledged that a small portion of their people were hostile towards the whites, yet they were willing and desired to make a permanent and lasting peace; they have promised to return here in thirty days with their whole camp, or with a delegation authorized to make a new treaty, and I am confident they will do as they have promised. The Piegan camp is now near Cypress mountain, one hundred and fifty miles from this place, moving this way. The Gros Ventres are on Milk river near the "Two forks," a little over one hundred miles from here; both of these tribes will be here with their lodges and whole camps. The Blood Indians are on Elk river, full four hundred miles from here, on British soil, and the Blackfeet are still further north. Those tribes, if not able to get here with their whole camps, will send delegations with full power to speak for their respective tribes. It is my intention to have the treaty with the Blackfeet nation signed, sealed, and delivered before the 10th day of November next. I shall distribute their annuities at the signing of this treaty.

The secret sale of spirituous liquors to these Indians is the first cause of all our troubles in this nation; not a depredation is committed that cannot be traced to this nefarious traffic; and yet these infamous "whiskey traders" have managed thus far to escape the clutches of the law. I hope the coming winter will open up a new era in the prevention of this accursed business.

On the 17th of August a delegation of Crow chiefs called on me and stated that their people wanted to make a treaty. I told them that if they would get all their tribe together, both the mountain and lower bands, I would meet them in council and arrange for a treaty, which they promised to do; they were to send word to me where to meet them, or to come to this place. They appear to be in earnest in their desires, and I have no doubt that a treaty could be made with them at the present time advantageous to the government. Last year I recommended the attaching this tribe of Indians to this agency; they do all their trading here, and have frequently asked to have their presents distributed to them here. I am convinced that it would be policy for the government to consider and follow this recommendation. Should they come here to make a treaty, I shall treat

with them under the instructions directed to me to treat with the Blackfeet nation, subject to the concurrence of the department. Their camp is now on the Muscle Shell river, where they will probably remain this winter.

The moral condition of the Indians in this country is truly lamentable. Not one spark of civilization appears to have dawned upon their ignorant minds, and their capacity for improvement, if they ever had any, seems to have risen and set in total darkness. They appear not to have been benefited one iota from their intercourse with the whites, but rather to have imitated their vices, instead of their virtues. War with each other, and disease, are fast taking them away to their "spirit home," and unless a change for the better appears soon to improve their moral condition, but a few years will elapse before all but a remnant of what they once were will have passed to their last "hunting lands," to return no more forever. The efforts thus far to improve the moral condition of these Indians has proved a total failure; but perseverance has accomplished great things, and overcome almost insurmountable obstacles. Let us hope that success will yet crown our efforts to ameliorate the condition of these unfortunate and degraded savages, and place them and their children on the road to a better, brighter, and more glorious future.

The rapid increase of population in this Territory, the new and rich placer and lode discoveries, the extensive and fast increasing business, the immense mineral wealth, and the rapid development of the country, demand the fostering and protecting arm of the government. The Missouri river is the great transporting thoroughfare for this immense trade; in fact, it is the great artery or channel of water communication to the very heart of the Territory. During the past year millions of gold-dust have passed over its waters safely to its point of destination, and over four thousand tons of freight have been landed on its banks above Fort Union; and as I write, hundreds are receiving employment in transporting these goods to their destination in this Territory. Over 250 wagons are now between this place and Fort Union engaged in this transportation. If this trade and this Territory receive from the general government the protection and encouragement their importance and geographical position demand, then but a few years will elapse before another rich and powerful State, equalling in mineral wealth California itself, will be ushered into the great American Union, adding another brilliant star to the constellation, unsurpassed by any now set in that great temple of liberty.

Very respectfully, your obedient servant,

GAD E. UPSON,

U. S. Indian Agent, Montana Territory.

Hon. D. N. COOLEY,

Commissioner of Indian Affairs, Washington, D. C.

TREATIES WITH ARAPAHOS, CHEYENNES, &c.

No. 13.

Treaty council held in camp on the Little Arkansas river, October, 1865.

CAMP ON THE LITTLE ARKANSAS RIVER,

Kansas, October 16, 1865.

SIR: We have the honor to transmit herewith a record of the proceedings of a council held with the chiefs and headmen of the Cheyenne and Arapaho tribes of Indians of the Upper Arkansas, said council commencing on the 12th, and terminating on the 14th instant; also the treaty concluded with said Indians on the last-named date.

The record of proceedings and treaty contain full information in reference to the action of the commissioners with said Indians. We have endeavored, as far as possible, in treating with them, to carry out the instructions received from you.

In reference to their location upon the reservation, the territory upon which it was thought advisable to locate them being at present claimed by the Comanches and Kiowas, and time being required to bring back the portion of the Indian tribes that are north and concentrate them, and as the Indians were not inclined to move immediately, the provisions contained in the treaty were made which provide for their ultimate removal.

These two tribes are the most reliable of any in this part of the country, and having secured their friendship, peace and security will be permanent on the plains, and through their alliance the lines of travel can be kept open and uninterrupted.

Compared with former treaties, what may seem to be large annuities have been granted them; but when it is considered that heretofore they have always been friendly, and have only been at war against the United States when forced to it by the perpetration upon them of the most gross and wanton outrages by officers in command of United States troops; that an extensive and valuable mineral country has been ceded by them, (for they acknowledge no former cession;) and in view of the enormous expense attending the maintenance of a military force in this part of the country, and the importance of keeping quiet the great thoroughfares of trade and travel to New Mexico and Utah and the mining regions of Colorado, we think that the payment of these annuities will prove a matter of great economy to the government.

By reference to the record of proceedings, it will be seen that the Indians have expressed a desire that Major E. W. Wynkoop should be appointed agent for the Cheyenne and Arapaho tribes, and that Charles Rath and Colonel William W. Bent be appointed as traders for the same tribes. They also express a desire to be transferred to the central superintendency, (Colonel Thomas Murphy, superintendent, at Atchison, Kansas.)

The latter desire arises no doubt from the distrust they feel about any relations with Colorado since the Sand creek massacre, and the confidence they feel in Superintendent Murphy from their acquaintance with him at this council. With the other gentlemen named they have had a long acquaintance, and we think it a matter of great importance in sustaining our friendly relations and good faith with the Indians that the change and appointments referred to be made through the proper channels. We have, therefore, called your attention to the matter, and respectfully recommend appropriate action.

We will to-day hold a council with the Comanche, Kiowa, and Apache Indians, the proceedings of which will be reported to you in due time.

Respectfully, your obedient servants,

JOHN B. SANBORN,
JAMES STEELE,
WM. S. HARNEY,
KIT CARSON,
WM. W. BENT,
THOS. MURPHY,
J. H. LEAVENWORTH,
Commissioners.

HON. JAMES HARLAN,
Secretary of the Interior.

Attest:
W. R. IRWIN, *Secretary.*

No. 13—A.

CAMP ON THE LITTLE ARKANSAS,
Thursday, October 12, 1865.

The first council held with the Indians by the commissioners appointed by the President of the United States to negotiate a treaty or treaties, under instructions of the Secretary of the Interior, with the Arapaho, Apache, Cheyenne, Comanche, and Kiowa Indians, was convened at General Sanborn's headquarters, at 9 o'clock a. m. The following-named persons were present on the part of the United States, viz:

General J. B. Sanborn, president of the commission; General W. S. Harney, commissioner; superintendent Thomas Murphy, commissioner; Colonel Kit Carson, commissioner; Colonel Wm. W. Bent, commissioner; Agent J. H. Leavenworth, commissioner; Judge James Steele, commissioner.

Secretaries: S. A. Kingman, W. R. Irwin, O. T. Atwood; W. P. Murphy was absent, having been sent to see after the train of presents.

Interpreters: Mrs. Margaret Wilmarth, for the Arapahoes; John Smith, for the Cheyennes.

On the part of the Indians, the following named chiefs were present, viz:

Cheyennes, Moke-tah-vah-to, or Black Kettle, head chief; O-ha-mah-hah, or Storm, chief; Ah-cra-kah-tau-nah, or Spotted Wolf, chief; Pah-uf-pa-top, or Big Mouth, chief.

The president of the commission, Commissioner Sanborn, having announced the council ready to proceed to business, spoke as follows, the same being interpreted to the Cheyennes by John Smith, and to the Arapahoes by Mrs. Margaret Wilmarth, viz:

Chiefs and headmen of the Cheyenne and Arapaho nations: I desire, as president of this commission, to express our gratification in meeting you in a friendly manner at this time. Your Great Father at Washington has heard and rumors concerning your treatment. He has chosen and appointed us as his representatives to come and confer with you as to your condition in future. From rumors that have reached his ears, he has become satisfied that great wrongs have been committed without his knowledge at the time. He has heard that you have been attacked by his soldiers, while you have been at peace with his government; that by this you have met great losses in lives and property, and by this you have been forced to make war. All this he disapproves of, and the people of the whole nation agree with him. He has sent out his commissioners to make reparation as far as we can, to make good this bad treatment; also to establish terms of peace in future, by which you can live in the future in peace with all the whites. We wish, therefore, in the first instance, to agree that we may always live in peace. We are willing, as representatives of the President, to restore all the property lost at Sand creek, or its value. So heartily do we repudiate the actions of our soldiers, that we are willing to give to the chiefs in their own right three hundred and twenty acres of land, to hold as his own forever, and to each of the children and squaws, who lost husbands or parents, we are also willing to give one hundred and sixty acres of land, as their own, to keep as long as they live. We are also willing that they receive all money and annuities that are due them, although they have been at war with the United States. We have come to do that which will result in their greatest good. Our nation has become great and our people are as numerous as the stars. We all feel disgraced and ashamed when we see our officers or soldiers oppressing the weak, or making war on those that are at peace with us. It is our opinion that their best interests require that they should be located on separate lands and hunting grounds. Our people are moving and

scattering all over the country, and you should be in a country where white people can be kept away from you by positive law.

It is the view of those high in authority, that it is better that the Indians should be located south of the Arkansas, or north of the North Platte, away from the lines of travel. All the travel to Colorado, Idaho, and New Mexico—and there is constant travel to these places,—is between these rivers; but you will be consulted as to this.

We think your interests will be better subserved to go south of the Arkansas, if suitable to you. We are disposed to acknowledge Black Kettle as chief of the Cheyenne nation, and will support and protect him in everything he does for the nation. We have understood that some of his people were dissatisfied with his actions before the affair of Sand creek, but upon investigation we are satisfied that he did right, and we would protect him in all that he has done, and that it was the fault of our bad white officers.

We have come for the purpose, and must make with them a permanent peace; any condition for them is better than war with the whites. Therefore be friends and allies of the government, and it will support and sustain them at all times.

War simply annoys and troubles the whites, while it destroys them. We have lost more men in the past four years among the whites than all the Indians put together. We have destroyed and vanquished our enemies, and our towns and country are still full of soldiers. Remaining our friends, they will increase in property and numbers; but as enemies and at war with us, they will grow poor, diminish, and fall away.

It is our desire to conclude a treaty with them as soon as they can consult, and as early as possible. We have a book and papers that contain all the proceedings of the Sand creek affair. It will be handed to them and interpreted to them at their camps.

The Great Father at Washington sent commissioners to investigate the affair, and this book contains all the proceedings of the affair.

This is all for the present, but we desire to hear from them before they separate.

The Indians replied as follows:

Big Mouth says: That as for sitting down upon any one piece of ground, he cannot now say or understand how it will be.

Little Raven says: The most of our people are north, and what can you do for them?

Commissioner Sanborn replied:

We will give them five months to come in and join together. We expect to do so well by them that all will come in and join you; it is reported that all want to make peace with the whites; that if you live in peace and do well, all the Indians will come and join you. We desire to have your reservations so large that you can subsist by hunting for many years; you will not have so small a tract as heretofore.

Little Raven replied: That it will be a very hard thing to leave the country that God gave them on the Arkansas; our friends are buried there, and we hate to leave these grounds.

COMMISSIONER SANBORN. We have all got to submit to the tide of emigration and civilization.

LITTLE RAVEN. It will be better to wait until next spring and have all the tribes meet. We should not like to take it upon ourselves to treat now. It would be impossible to make up their minds to live north of the Platte—there are no buffalo. Is willing to settle down on the land he has now, to plant corn—that he knows the game is most gone, and we know it is better for

us to settle down and cultivate our lands. We are very glad the President pities us in our destitution, and has sent you to see us.

PRESIDENT SANBORN. We fully appreciate the trial that it is to you to separate from the graves of your ancestors, but events over which you have no control make it necessary for you to do so.

LITTLE RAVEN. Has heard that a great many stories have been carried to Washington, but he is going to tell the truth. They heard that there were men sent from Washington to come and see us. We are glad to see them, and hear what we have heard from you. They feel much gratified that you took so much pains to come and see them, and are glad to see you, for they did not like to fight with the whites.

They think that they did not deserve such treatment as they received from Chivington, and they feel much grieved at it. The Arapahoes and Cheyennes have been good Indians. As far as peace is concerned, they are willing to treat for it, and they hope that the whites will stick to it as well as they.

Cheyennes and Arapahoes suffered much. Colonels Bent and Carson were raised with them, and they were glad to see them. We are willing for peace, and if any acts are committed by those of our tribes that are north, we do not wish to be held responsible. You can tell the President that we prefer to have this treaty about lands put off till spring, but for peace, &c., we are willing to treat now.

We would prefer to wait until next spring, until all our people come back and talk it over, and then treat about the land. In old times we had nobody to annoy us; we had our traders and hunting grounds; we are willing to submit to peace; have the roads opened and whites to travel, and not disturb them. He thinks the Arapahoes will stand to their bargain of peace-making better than the whites. Other tribes have led us into this bad scrape—the Kiowas and Comanches. They did nothing to the whites until the affair at Sand creek, but that was too bad to stand, and they had to go to war.

He says that there were seventeen Kaws went to their lodges just as we came away, and stole sixteen fine horses and two mules; would like to have the whites help to get them.

Another thing—that they had been swindled by their agents; they had sold their goods to them.

COMMISSIONER MURPHY. What agent?

LITTLE RAVEN. Had only had one fair agent; that was Major Fitzpatrick; agency was at Fort Lyon.

LITTLE RAVEN. Wants Mrs. Wilmarth to remain with them as interpreter for them, and live with them, and be paid by the United States.

PRESIDENT SANBORN. Your request will be laid before the President, and acted on as soon as convenient.

LITTLE RAVEN. Another thing: tell the President if he treats for their lands he must give a good price, as they are digging gold on our land. Knew it was wrong, but never troubled the whites, thinking the government would make it up. The reservation taken at Sand creek must be paid for besides; says he has never received anything for it. He made the trade, but has not been paid. There was no agreement made in writing; it was only verbal.

Afterwards Boone came out and got them to sign a paper, but did not know what it meant. The Cheyennes signed it first, then I; did not know what it was. That is one reason why I want an interpreter, so that I can know what I sign.

If possible, try and pick out some good, honest man to be agent for them.

Colonel Leavenworth is agent for the Apaches, Kiowas, and Comanches.

Is he going to be agent for us? Would like to have some one that will remain with us this winter, for fear the whites will trouble us. Would like Colonel Bent very well as agent; thinks he would like Major Wyncoop as agent, he always treated them well. This is all I desire to say at present.

PRESIDENT SANBORN. Neither the President nor ourselves can prevent the white people from going to the mining country. It was this that induced trouble before, and we are afraid it will again—so many bad people going through the country.

COLONEL BENT. We will give them any time to come back and join their tribes, and have the benefit of the treaty, annuities, &c.

PRESIDENT SANBORN. It is a matter of great difficulty for commissioners to come out here, and the authorities at Washington do not like to have so many commissions, and it is the desire of the President to settle all matters between your people and the whites now, and we are willing to give them a fair price for all the land they have ceded heretofore, and all that is hereafter ceded; that we wish to finish all now, and not have to come again. We do not expect this treaty to be binding upon those that are not present, but the treaty will be so made that all those that join the band hereafter will come under it. That in the agreement made with Colonel Leavenworth last August, that he (the chief) agreed to meet such commissioners as the President appointed for the purpose of settling all questions that might arise between the tribes and the government, and make a perpetual peace.

LITTLE RAVEN. Will be ready to-morrow.

COMMISSIONER LEAVENWORTH. The understanding in the paper relates wholly to Black Kettle's band and Little Raven's.

PRESIDENT SANBORN. We can make a treaty with you now.

COMMISSIONER STEELE. As the tribes increase by other Indians coming in, annuities will be increased accordingly.

Black Kettle, chief of the Cheyennes, after shaking hands with the commissioners, said: The Great Father above hears us, and the Great Father at Washington will hear what we say. Is it true that you came here from Washington, and is it true what you say here to-day? The Big Chief he give his words to me to come and meet here, and I take hold and retain what he says. I believe all to be true, and think it is all true. Their young white men, when I meet them on the plains, I give them my horse and my moccasins, and I am glad to-day to think that the Great Father has sent good men to take pity on us. Your young soldiers I don't think they listen to you. You bring presents, and when I come to get them I am afraid they will strike me before I get away. When I come in to receive presents I take them up crying. Although wrongs have been done me I live in hopes. I have not got two hearts. These young men, (Cheyennes,) when I call them into the lodge and talk with them, they listen to me and mind what I say. Now we are again together to make peace. My shame (mortification) is as big as the earth, although I will do what my friends advise me to do. I once thought that I was the only man that persevered to be the friend of the white man, but since they have come and cleaned out (robbed) our lodges, horses, and everything else, it is hard for me to believe white men any more. Here we are, altogether, Arrapahoes and Cheyennes, but few of us, we are one people. As soon as you arrived you started runners after us and the Arapahoes, with words that I took hold of immediately on hearing them. From what I can see around me, I feel confident that our Great Father has taken pity on me, and I feel that it is the truth all that has been told me to-day. All my friends—the Indians that are holding back—they are afraid to come in; are afraid they will be betrayed as I have been. I am not afraid of white men, but come and take you by the

hand, and am glad to have an opportunity of so doing. These lands that you propose to give us I know nothing about. There is but a handful here now of the Cheyenne nation, and I would rather defer making any permanent treaty until the others come. We are living friendly now.

There are a great many white men. Possibly you may be looking for some one with a strong heart. Possibly you may be intending to do something for me better than I know of.

Inasmuch as my Great Father has sent you here to take us by the hand, why is it that we are prevented from crossing the Arkansas? If we give you our hands in peace, we give them also to those of the plains. We want the privilege of crossing the Arkansas to kill buffalo. I have but few men here, but what I say to them they listen, and they will abide by their promise whatever it may be. All these young soldiers are taking us by the hand, and I hope it will come back good times as formerly. It is very hard to have one-half of our nation absent at this time; we wish to get through at once. My friends, I want you to understand that I have sent up north for my people, and I want the road open for them to get here. I hope that which you have said will be just as you have told me, and I am glad to hear such good counsel from you. When my friends get down from the north I think it will be the best time to talk about the lands. There are so few here that it would not look right to make a treaty for the whole nation, and so many absent. I hope you will use your influence with the troops to open a road for my men to get here. You may mark out the lands you propose giving us, but I know nothing about them; it is a new country to me.

I have been in great hopes that I may see my children that were taken prisoners last fall, and when I get here I do not see them. I feel disappointed. My young men here, and friends, when we meet in council and come to the conclusion, it is the truth, we do not vary from it.

This lady's husband, (Mrs. Wilmarth, formerly Fitzpatrick,) Major Fitzpatrick, when he was our agent and brought us presents he did not take them into forts and houses, but would drive his wagons into our villages and empty them there. Every one would help themselves and feel glad. He has gone ahead of us, and he told us that when he was gone we would have trouble, and it has proved true. We are sorry. But since the death of Major Fitzpatrick we have had many agents. I don't know as we have been wronged, but it looks so. The amount of goods has diminished; it don't look right. Has known Colonel Leavenworth for some time; he has treated me well; whether it will continue or not I do not know. He has got a strong heart, and has done us a great deal of good. Now that times are so uncertain in this country I would like to have my old friend Colonel Bent with me.

This young man, Charles Wrath, does not get tired. He is always ready to go and meet them and give them whatever news he has to send to them. There may be wrongs done, but we want to show who does these wrongs before you censure us. I feel glad that the Great Father has taken pity on us, and that ever since we have met Colonel Leavenworth's words have been true, and nothing done since that time but what is true.

I heard that some chiefs were sent here to see us. We have brought our women and children, and now we want to see if you are going to have pity on us.

This is all by Black Kettle.

COLONEL LEAVENWORTH, Black Kettle has referred to the children taken prisoners. I promised him that they should be here at this council. From the best information I had I believed they were in Denver, Colorado; that was a long way off. They (the Indians) had in my hands greater interests than these children; therefore I took such steps as I believed would insure them

being brought here. I sent to Denver to the superintendent. I not only sent to him, but I went to the Big Chief (General Sanborn) here and got him to write and send a guide to the Big Chief there to look and find the children and send them to this place. Not only to him, but to a Big Chief beyond him. They have looked and written back to me, saying they will still look until they are found and brought back. I will also continue to look until I find them and bring them back to you. I will not get tired.

The council adjourned until ten o'clock a. m. to-morrow.

FRIDAY, October 13, 1865.

The council met at ten o'clock a. m. pursuant to adjournment.

The same parties were present on the part of the United States and the Indians as on yesterday at the first meeting of the council.

Commissioner Bent addressed the Arapahoes present, in their tongue. The following is a translation of his remarks, viz :

Friends, Cheyennes and Arapahoes : I would like for you once more to take my advice in respect to this treaty. I would advise you not to hesitate one moment in signing whatever propositions this commission may suggest to you, as I am satisfied that there is no deception practiced on their part or that of the government they represent. Being one of the commission myself, I am satisfied that they intend doing everything for your benefit and welfare, and that this is the best opportunity you will ever have to make so favorable a treaty as will be now offered to you by them.

I am well aware that we have both been deceived at prior times in the execution of our treaty by white men in authority, but we must not judge all white men alike. For instance, in the summer of 1864 I was sent to you by the governor of Colorado, and Colonel Chivington, to make a temporary treaty with you, which, I am sorry to say, was a deception on the part of the whites; but the commission here now are a different kind of people, and I would again advise you to sign the treaty they offer you without hesitation.

Commissioner Steele spoke as follows, his remarks being interpreted to the Indians by the interpreters, Mrs. Wilmarth for the Arapahoes and John Smith for the Cheyennes, viz :

"MY FRIENDS: I want to say a few words in regard to the position in which we find you and ourselves. We have now at Washington, the head of government, a Secretary of the Interior, who has more particularly to do with you—a man who is more friendly to you than any head of government for many years. The authorities at Washington are wise and good men, and for many years they have been engaged in studying the interests of the tribes of Indians throughout the country. They have selected and sent here to treat with you a commission which is composed exclusively of your true friends, and after carefully considering the whole subject, they have instructed this commission to make a treaty that will secure your best interests for all time to come.

"This commission, in the council we had with you yesterday, regretted very much that you were not ready to treat for a cession of your lands, and this regret was not so much on account of white people, but on account of what we consider your true interests.

"We all fully realize that it is hard for any people to leave their homes and graves of their ancestors; but, unfortunately for you, gold has been discovered in your country, and a crowd of white people have gone there to live, and a great many of these people are the worst enemies of the Indians—men who do not care for their interests, and who would not stop at any

crime to enrich themselves. These men are now in your country—in all parts of it—and there is no portion where you can live and maintain yourselves but what you will come in contact with them. The consequences of this state of things are that you are in constant danger of being imposed upon, and you have to resort to arms in self-defence. Under the circumstances, there is, in the opinion of the commission, no part of the former country large enough where you can live at peace. The white men who are there do not regard law, and the President desires to punish them, yet it will not come until they have committed actual hostilities against the Indians. Before the President can hear of their bad deeds a state of hostilities is created, and you are the sufferers. Under the circumstances the commissioners desire you to carefully consider whether it is not best for you to go to some other country where you will not be disturbed in this manner.

"We want to give you a country that is full of game and good for agricultural purposes, and where the hills and mountains are not full of gold and silver.

"In such a country as this the government can fully provide for your wants, and you can live in peace and plenty. The government can also provide in such a country for the exclusion of all white persons from among you. This it has been impossible for the government to do where minerals are in the soil. In asking you to leave your country, we do not ask you to do it without a full compensation for the lands you leave. We all desire to give you the full value of your lands in annuities, so that in the country where you go you can live in peace and plenty. I want you to consider carefully and candidly whether it is not better for you to do so than to constantly live in war and turmoil.

"We believe that in the country where we desire you to go you will gradually become rich, and your numbers increase; but we are fully convinced that it is impossible for you to stay, and that if you do stay, you will gradually diminish, until you are finally swept from the earth.

"We are sorry that we have bad people among us, as you are sorry that you have bad people among you; but this is unfortunately the case with all people, and however severe we make laws it is impossible to prevent crime. This commission considers this the most important occasion for you that has occurred in many years, and to your people it is probably the turning point in your history. You may accede to our wishes, and be happy and prosperous, or you may refuse to make a treaty, and be ruined in health and happiness.

"Wise and good men have for many years, at Washington, been studying what is best for Indians to do. They have arrived at the conclusion that it is best for the two races to be separated.

"From the earliest history of our country, where the white man has come in contact with the Indians, you have gradually wasted away from the earth; and for this reason they have concluded it best for the two races to be separated. These wise and good men at Washington have selected us to come and present their views to you. We are also your friends. We tell you what we believe to be truth, and tell what we believe is for your best interests, and we hope before coming to a final conclusion to reject the proposition, you will carefully consider what we have said to you."

Commissioner Murphy inquired of Black Kettle and Little Raven how many lodges they have at their homes now, and how many north of Platte river?

Black Kettle replied, 280 lodges, five to a lodge, on the Arkansas river; Arapahoes (and Cheyennes,) 480 lodges both north and south of Cheyenne; 190 lodges Arapahoes on the Arkansas river, represented in this council; 80 lodges Cheyennes on the Arkansas, represented at this council.

Little Raven said, the last time we had a meeting there were 390 lodges; since then many young men have married and got lodges.

Little Raven spoke as follows: This is the wife (Mrs. Wilmarth) of Major Fitzpatrick, who died in Washington city. He was our first agent. When Major Fitzpatrick came, he came and inquired for his children, the Cheyennes and Arapahoes, and sent for them, and said he wanted to make a good word for them.

The Great Spirit above gave them this ground, but afterwards some writing came from Washington; he brought it and explained it to us, what it was. When Major Fitzpatrick first came, he married this woman, (Mrs. Wilmarth) he laid off certain country on the North Platte, commencing at the junction of the North and South Platte, running thence along the North Platte to the summit of the principal range of the Rocky mountains, thence along said range in a southerly direction to the Arkansas river, thence down said river to the Cimarron crossing, thence north to the place of beginning.

Major Fitzpatrick then came again, and they were called to another meeting on the Platte; then some tracts of land were talked of, and some of the Indians objected to signing the treaty of 1851.

After a long time there was another change of administration. Greenwood was sent to them. We did not understand him. I kept out of all fights and troubles. Now, this day, you have come from the President, we are glad; we take you by the hand, and we are glad to have an opportunity of so doing.

Here are our young men and friends with us; words shall not be thrown on the ground, but shall be kept by us.

Tell the President just as we say. Inasmuch as you have come from the President, in council, we wish you to hear and understand us. It is our great desire and wish to make a good, permanent peace. Inasmuch as you come from the President, you come with truth; you have come to save the remnant of our nation. You propose to give us land where we can live in quiet; we accept your proposal, and we hope, as you are our friends and friends of our brothers the Cheyennes here, that you will see that it is faithfully carried out.

I now desire a choice of lands. I think the selection of lands for the half-breeds should be in the old reservation near Fort Lyon. Yesterday you spoke of a reservation north of the North Platte, or south of the Arkansas. North of the North Platte has once been given to the Sioux to my knowledge; south of the Arkansas has been given to the Comanches and Kiowas. To place them on the same ground would be to make prisoners of us, or like going out of one fire into another.

I understand that this commission has a quantity of goods coming. I look at this as a present for myself and my children. I am satisfied to take you by the hand, and will not be the one first to break the treaty. There are men whom I knew when I was a boy, (Colonels Bent and Carson.)

The Sioux in the north, and the Comanches in the south, were the first to commence the war, and then we were drawn into it.

As soon as you got here you sent runners and notified us of your arrival. We felt as though there was something good, and we hastened to come immediately. Where the antelope and buffalo live is the country where I want to live; that is what I raise my children on, and the way I get my support, *i. e.*, hunting.

The lands you speak of and describe to us, we observe and accept them, but we prefer to leave them there for the present, and live on the unoccupied lands of our old homes, until you have acquired such a title to them from other Indians as will enable us to live on them in peace, and until our Great Father shall be of the opinion that it will be better for us to go to them.

There is something very strong for us—that fool band of soldiers that cleared out our lodges, and killed our women and children. This is strong (hard) on us. There, at Sand creek, is one chief, Left Hand; White Antelope and many other chiefs lie there; our women and children lie there. Our lodges were destroyed there, and our horses were taken from us there, and I do not feel disposed to go right off in a new country and leave them. What I have to say, I am glad to see you writing it down to take to the Big Chief in Washington.

Our families and our old men that I left out at our village, I will inform them of what I have done as soon as I get there. This summer, fall, and winter, I shall not see the Arkansas river; after that I shall start off at a distance, and look at the country south of the Arkansas and see it, when the troops get out of this country; then I expect to cross the Arkansas and come into this country.

I expect this commission will give us two traders this winter, and the Cheyennes to stay and live with us and trade with us. Charles Rath is one that we want, and Colonel William W. Bent is the other that we want to go with us this winter.

When Colonel Leavenworth gets goods again I expect to be ready to meet him.

Black Kettle said: Friends, I have never seen you before. My forefathers used to live all over this country. I have seen one that is here, (General Harney.) I don't know how small I was. The general must have a great and strong heart. Our forefathers, when alive, lived all over this country; they did not know about doing wrong; since that they have died, and gone I don't know where. We have all lost our way. Major Fitzpatrick was a good man; he came to us, and we had just such meetings as this. Major Fitzpatrick was our agent; he brought us our goods annually; he did not drive to forts and houses to unload them, but drove to our villages and threw them out, and our women were glad. Major Fitzpatrick said: "My children, when I am dead and gone, you will get into trouble with the whites."

Our Great Father sent you here with his words to us, and we take hold of them. Although the troops have struck us, we throw it all behind and are glad to meet you in peace and friendship. What you have come here for, and what the President has sent you for, I don't object to, but say yes to it.

I will live around here, as I have sent up for the balance to come down. I expect to live in the old reservation until they come down. I don't feel right over here, or at home, where there are so many tribes of Indians. These thoroughfares, I may live about them, but I shall not be the first one to interrupt them. The white people can go wherever they please and they will not be disturbed by us, and I want you to let them know. In broad daylight we talk, and talk the truth; we want nothing bad, and expect nothing but truth to be derived from it. We are different nations, but it seems as if we were but one people, whites and all. I feel highly gratified that we have met once more in peace. The Big Chief in Washington has sent you here. Again I take you by the hand, and I feel happy. These people that are with us are glad to think that we have peace once more, and can sleep soundly, and that we can live.

What is proposed now by this commission I do not object to nor any part of it, but I want the privilege of roaming around until it is necessary for me to accept the proposed reservation.

The Great Father will know, from time to time, how we are living, and how we are progressing, and when we are poor and need something to eat, the Great Father will know how to relieve us. Now the path that you mark out is a good one. The roads are open, and we consider that we are living as in the olden time when we were one people together for fear of other

troubles. Other nations may commit wrongs that we may be blamed for, and to prevent this we want Colonel Bent and Major Wynkoop to live with us.

Adjourned until 1 o'clock p. m. to-morrow.

SATURDAY, October 14, 1865.

The council met at 1 o'clock p. m., pursuant to adjournment. The same parties were present on the part of the United States and the Indians as on the first day of the council, (October 12.)

Little Raven spoke (being interpreted) as follows:

GENTLEMEN: Seven of you have been sent from Washington to make good roads for us. I hope this day will conclude by making this road a good one. I hope you will look out for our welfare, and see that some gentleman is picked out that will deal fairly with us, and that they will get all the goods given in this treaty. We want you to put these words on paper and send them to Washington; that this gentleman (Colonel Murphy) is the gentleman we would select as our superintendent to see that we get our proper goods.

In reference to the governor of Colorado, I do not think we have been treated right by the superintendent and governor of Colorado, and I do not wish him to be our superintendent, and wish to make a change by selecting Colonel Murphy.

FRIENDS AND GENTLEMEN, CHIEFS FROM WASHINGTON: The Kiowas, Comanches, and Apaches have arrived, and I hope the Cheyennes and Arapahoes are here. I understand that the presents sent out are near here, and will arrive to-morrow. I want you to be particular and see that there is a fair division.

Gentlemen, before you arrived here last summer, Colonel Leavenworth had sent out and brought in the chiefs of all the different tribes, ours included—i. e. the Cheyennes and Arapahoes—and we were then told by Colonel Leavenworth that our goods should be issued to us in the vicinity of the Salt Plains, Bluff creek.

I would like to have Colonel Bent, Colonel Leavenworth, Major Wynkoop, and Charles Rath to go to Salt Plains to attend to the division of goods. You need not feel uneasy about your young men; they will be safe. The Cheyennes and Arapahoes will go with them.

Commissioner Murphy said: My friends, as you have expressed a wish that the Great Father at Washington should have your business done through my office, before we part I wish to give you some friendly counsel and advice, which I hope you will not forget. In order that to the utmost of my power I may have your rights maintained and interests served, it will be necessary for you to assist me by your good conduct in doing so.

The freighters, the men that do business on the plains with cattle and wagons, say that when they were at peace with the Indians, you came into their camps and said you wanted different articles, and you took from them whatever you desired, whether the freighters were willing to give them up or not. This is wrong. When the Indians went to war with the whites, the freighters say that the Indians have stolen their cattle, killed their men, and plundered their wagons. These things have made them lose confidence in the Indians. These white men that travel those big roads do not know good Indians from bad ones, and say that if Indians come in sight they will shoot them. On account of this state of facts, and for your good, I want you to tell your young men to stay off these main-travelled roads until confidence is again established, which I hope will be before a great while. When you get into trouble with the whites, among yourselves or with other

tribes, do not go to fighting, but refer it to your agent. He will write it all down, and I will see that it goes to your Great Father at Washington. He will fix it right for you, and will send back to your agent how it has been settled, and you must abide by his decision.

By pursuing this course, you will grow rich in ponies and property, and great in numbers; but by any other course you can take you will grow small in numbers and poor in property.

The treaty which had been prepared was now read, article by article, by President Sanborn, and interpreted by John Smith to the Indians present. An article was submitted authorizing the Senate to make amendments without reference back to the Indians, but was objected to by the Indians, and withdrawn.

The treaty was then signed by the commissioners and the chiefs and headmen of the Cheyenne and Arapaho tribes, and witnessed by the secretaries and other persons present, when the council adjourned *sine die*, so far as relates to the Arapaho and Cheyenne Indians.

JOHN B. SANBORN,
President of the Commission.

Attest:

W. R. IRWIN, *Secretary.*

No. 14.

CAMP ON THE LITTLE ARKANSAS, KANSAS,
October 24, 1865.

SIR: We have the honor to transmit herewith the following, viz:

1. Record of proceedings of council with the Apaches, Comanches, and Kiowas, on the 16th, 17th, 18th, and 24th instant; (also includes conference with the Cheyennes and Arapahoes, and parting remarks of Little Raven, chief of the Arapahoes.)

2. Treaty with the Apaches, dated October 17, 1865.

3. Treaty with Comanches and Kiowas, dated October 18, 1865.

4. Record of meetings of the commission from the 5th to 24th instant.

The records referred to contain a full account of the councils held with the above tribes, and for your full information reference is made thereto.

By the terms of the treaty of the 17th instant, the Apaches became detached from the Comanches and Kiowas, and became confederated with the Cheyennes and Arapahoes, and subject to the same terms and conditions with these tribes included in the treaty concluded with them on the 14th instant.

The treaty with the Kiowas and Comanches was made by a full representation on the part of the Kiowa tribe, and by six out of nine bands which compose the Comanche tribe.

The reasons that have governed the commission in making these treaties, in fixing the amount of annuities, &c., have been to so provide that hostilities between these tribes and the government shall never be induced either by dissatisfaction or want on their part; and, compared with the amount that it would require to carry on hostilities for the most limited period on the smallest scale in this locality, these annuities will prove a matter of great economy, and we firmly believe that if these treaties are ratified and the provisions they contain are carried out, peace will be permanent with these tribes.

The commission deem it of vital importance that the government should pursue a generous course for the time being with the Indian tribes that have

been hostile, and until friendly relations are established upon a firm and permanent basis; and, therefore, respectfully recommend that so much of the annuity goods belonging to the Comanche and Kiowa tribes as have been used for presents at this treaty be supplied to their agent at as early a day as possible.

We are, very respectfully, your obedient servants,

JOHN B. SANBORN,
WILLIAM S. HARNEY,
JAMES STEELE,
THOS. MURPHY,
J. H. LEAVENWORTH,

Commissioners.

HON. JAMES HARLAN,

Secretary of the Interior.

Attest:

W. R. IRWIN, *Secretary.*

No. 14 A.

CAMP ON THE LITTLE ARKANSAS, KANSAS,
Monday, October 16, 1865.

The council assembled at 9 o'clock a. m., pursuant to appointment, to treat with the representatives of the Comanche, Kiowa, and Apache tribes.

There were present on the part of the United States the following named commissioners, viz:

John B. Sanborn, (president of the commission,) William S. Harney, Thomas Murphy, Kit Carson, William B. Bent, Jesse H. Leavenworth, and James Steele.

Secretaries—S. A. Kingman, W. R. Irwin, and O. T. Atwood. W. P. Murphy was absent, having been detailed to look after the train of presents.

Interpreters—Shirley, for the Comanches; Chisholm, for the Kiowas.

The following named chiefs were present on the part of the Indian tribes above named, viz:

Ta han-son, or Little Mountain, Kiowa head chief.

Sa-tank, or Sitting Bear, Kiowa chief.

Black Eagle, Kiowa chief.

Quiel-Park, or Lone Wolf, Kiowa chief.

Ton-a-en-co, or Kicking Eagle, Kiowa chief.

Ta-ki-bull, or Stinking Saddlecloth, Kiowa chief.

Tarry-wah-can-na-vietchia, or Poor Bear, Apache chief.

Quein-a-e-vah, or Eagle Drinking, Comanche chief.

Ta-ha-yer-quoip, or Horse Back, Comanche chief.

Pocha-naw-Quam, or Buffalo Hump, Comanche chief.

President Sanborn spoke as follows, the same being interpreted to the different tribes present, viz: Chiefs and headmen of the Kiowa, Comanche and Apache tribes of Indians: We have been sent here by the Great Father at Washington, President of the United States, for a most important purpose. We have been sent here to represent him, and to confer with you in regard to your troubles with the whites, and settle upon terms of peace; to remove all grounds of complaint from you, and establish a peace that shall be permanent between your tribes and the whites; to mark out a road for you to follow that shall lead to wealth, comfort and happiness. We are happy to meet you for this purpose, and hope that this day will be a new era for good feeling between you and the whites. We shall express the views of the

Great Father at Washington and ours fully, and ask that you shall express yours in return.

Our propositions will be such that I have no doubt you, as brave and good men, will accede to them all, for the Great Father at Washington is still disposed to treat with you with the greatest kindness. All terms that we shall ask you to accede to, we ask because we think they are good and will lead to your happiness.

Many white people have made bitter complaints to the President of the United States, and have urged him to make war upon and punish you severely. This was the case when the government stock was taken at Fort Larned more than a year ago; these requests have been repeated often by the whites, every time a train has been attacked. But notwithstanding all these requests to make war upon you, the Great Father at Washington has looked upon these outbreaks as the acts of children, and has refused to send soldiers against you.

Notwithstanding all you have done, he has sent no force against you, and has not punished you in return. When last spring attacks on our trains on the Santa Fé road were so frequent, and complaints were made to the President, he called me from a distant field to organize a force and send it against you.

He directed me to call upon him for soldiers enough and horses enough to cover the plains, and provisions for a year, to stay with you, to destroy all the game, and do you all the damage possible. Under these orders I went to Fort Larned, and troops and supplies came until I said, "I wanted no more; I have got all I can use." The day I was ready to send troops across the Arkansas all the way from Fort Lyon down, word came from Colonel Leavenworth, your agent, that you were ready to make peace, and had requested that I should send no troops into your country, and that you should not be disturbed.

This word was immediately sent to the Great Father at Washington, and notwithstanding the great trouble you had caused him, his ear was still open to the call of mercy, although at that time his soldiers were as numerous as the leaves of the forest or the grass on the prairies, and they were scattered from the mountains to the Atlantic, he directed me to stop and proceed to the mouth of the Little Arkansas, and see if they wanted peace, and having by his soldiers vanquished all the rest of his enemies, which were five times more numerous than all the Indians on the continent, he sent the soldiers to their homes, and did not let them come to fight you. I state these things to you to show you how easy it is for you to have perpetual peace under the direction of the Great Father.

All your enemies among the whites represent to the Great Father at Washington that we can never have peace until he has had a war with you, and you have suffered like other tribes in the east, but he does not think so; he does not adopt their advice; he remembers the great efforts that have been made for many years by your venerable chief, Ta-han-son, and others to keep the peace, and believes that if you agree now to make peace you will adhere to it, and not make war any more.

All your wars bring trouble, uneasiness and misery upon yourselves. They trouble the Great Father slightly, as a mosquito troubles a horse, or a fly a buffalo, without in any way affecting the government in its strength or prosperity. If you kill one thousand whites, we do not miss them, we do not cry; but if ten of your people are killed, you miss them and cry.

The Great Father is determined, if you pursue such a course as the tribes have east of the great river, the Seminoles, Winnebagoes, Cherokees, Choc-taws, and Chickasaws, and like them are brought to poverty and wretchedness, your miserable survivors shall not have it to say that this is the re-

sult of the wrongs and cruelties of the whites, but shall be compelled to say that their condition is the result of their own folly. Hence he sends us here now, with provisions for you to eat, and clothing for you to wear, and is desirous to make you happy and comfortable, if you will conduct yourselves in a proper manner. It is the opinion of the Great Father and the commissioners here that the less temptation you have to do wrong, the less you will do wrong.

The temptation that seems to lead you into trouble most frequently is the trains on the Santa Fé road, loaded with goods belonging to our citizens and going to the great west.

It is our opinion that your interests require that you shall cede all lands to the government north of the Canadian river, except that you will be permitted to get salt from the Salt Plains, and to roam over the country after game by getting permission from your agent. The government is willing to pay you more than you would ask or would expect. If this is done, we propose to give for a reservation the following described territory, from which white men will be prohibited from entering, except on permission from your agent, viz: Commencing on the Canadian river where the eastern line of New Mexico crosses the same; thence running south along said line to the southern boundary of New Mexico; thence in a northeastwardly direction to the headwaters of the Big Wichita river; thence down said river to its mouth, or its junction with the Red river; thence due north to the Canadian river; thence up the Canadian to the place of beginning.

We wish to make a treaty of perpetual peace, and have you located on ground on which white men are prohibited from going, except traders and agents; to give you full compensation for all you give to the government all at once, in spring and autumn; that the propositions made the chiefs will talk over among themselves, and let us know, or at the next meeting of the council, what they think of them.

It is reported to us that some band has some white prisoners; you could not expect, as brave warriors and men, that the Great Father and ourselves would make a treaty with you, while you hold any of our people as prisoners; compensation will be given you for them. We will now be glad to hear from you and your views.

Ta-han-son, or Little Mountain, a Kiowa chief, spoke as follows, (the same being interpreted :)

The Kiowas own from Fort Laramie and the north fork of the Platte to Texas, and always have owned it. That all the branches, creeks, rivers and ponds that you see; all the deer and buffalo, wolves and turtles, all belong to him—were given to him by the Great Spirit. White men did not give it to him. He does not want his country cut up and divided with other tribes or given to the white man; that from the Arkansas down the land belongs to him; that it is now occupied by soldiers; that the Great Father is always promising to do something for him, but never does anything; is willing to live in peace; does not want to fight any more; only wants his country and peace. His talk he wants should be like the Great Father's at Washington. He wants to be at peace with all the whites. Red men are not like whites; he calls all red men his children. There are two great parties at Washington. He has, like the Great Father, been begging for peace all the time; is glad it is likely to come. You have newspapers to send all about, we have none; cannot write, but the Indians hear what he says. It comes to their ears. My talk is for good, and I speak truth for all to hear; I have but one tongue. The talk I had with Colonel Leavenworth some time ago is what I talk now. It is a good talk. I never did anything first. It was the whites. I am not afraid to let all see what I have done. I caught the hands of my children, and tried to hold them. I have not two talks. I want a big land

for my people to roam over; don't want to stay long in one place, but want to move about from place to place. You have the hands of my children to-day. They think as I think, and will do as I say. They want peace; their hearts are good.

I never intend to let the talk of my Big Father leave; will keep it in my mind wherever I go; will hold it there. I wish you to leave my country alone. The Santa Fé road is open, and will not be disturbed. The rest of the country I want let alone. I want to tell you again and again to throw away the soldiers, and I will get all badness out of my heart, so that we can all travel kindly together. I want you to listen to my talk, and take away the soldiers. Keep my talk in your heart, and get rid of the soldiers. I don't like to see them. I wish you to do as the Great Father at Washington wishes you to do; just leave the white folks behind, and take the goods to the Salt Plains for the Indians. Before this half the goods have been stolen by the white men; I want the goods taken to the Salt Plains. The Indians will not come in for fear their horses will be stolen. I am not afraid of the whites. We are at peace now with them, but am afraid other Indians will steal our ponies.

Little Mountain closed and shook hands.

The president suggested that nothing had been said about the white prisoners, that this was a matter of great importance.

Little Mountain said: My people have four prisoners. I do not hide it. The Comanches will speak for themselves.

The president asked the Comanches how many white prisoners they have.

The Eagle Drinking (Comanche chief) said: Three prisoners, all boys. They are not with us now. Two are in one band and one in another.

Que-no-hile, or Eagle Drinking, said: I am sitting before a great many warrior chiefs to-day. They look at my face. I come in to-day to make a good wide road for my people. Peace is what I want; I don't want anything else but peace. I was not concerned in the depredations on the Santa Fé road. I am away south. I ride around to find my people and try to keep them away from war. I was glad to hear that you had come, so I could take you by the hand.

I am glad to find that my people can go to sleep and not be afraid of anything. I came a long way to take the people by the hand that were sent from Washington; was glad all the way that they were coming; was glad to find that my Big Father's people came out to see us. I would like to have this country let alone for myself and my friends, the Kiowas, to roam over. His father, Colonel Leavenworth, had appointed Salt Plains; but I didn't care. I came in here, and the road I intend to make is good and as white as paper. Any talk I make to-day can be relied on. I am talking in presence * * and other tribes of Indians, and they all hear me, and when we go home I can lie down and be happy.

Eagle Drinking, Comanche chief, (speaking to the Kiowas:) He asks them why they keep the prisoners? What is the use of keeping them? The white people will give you horses and property for them. The white people do not claim anything but the prisoners. You first turn over the prisoners, and they will give you blankets, calicoes, and make a treaty.

President Sanborn: Every effort was made by us to meet you where we agreed to. We could not get the presents through. They have just come.

Ta-han-son, or Little Mountain, said: Colonel Leavenworth agreed to meet us out there, and we should like you to send the wagons out there. We will conduct them part way and then will go and tell our people they are coming.

President Sanborn: As long as we changed the place of meeting, you must bring the prisoners here and make a treaty, and then, if you cannot carry your goods we will send them in wagons to you.

Commissioner Murphy: Your Great Father in Washington, who sent you the presents that have just come into camp, wants you to understand that when the treaty is made and concluded, and all the prisoners in your hands given up, then the presents will be given to you, and not before.

Adjourned until 9 a. m. to-morrow.

TUESDAY, October 17, 1865.

The council met at 9 o'clock a. m. All the commissioners and secretaries were present on the part of the United States, and the chiefs and headmen of the Apache, Cheyenne, and Arapaho tribes on the part of the Indians.

President Sanborn inquired of the head chief of the Apaches, Parry-wah-can-ha-ritchiah, or Poor Bear, whether the Apaches desired to continue their connexion with the Kiowas and Comanches, or whether they wished to become confederated with the Cheyennes and Arapahoes.

Poor Bear answered for the Apaches, after consultation with the different chiefs of the tribe, that they desired to be confederated with the Cheyennes and Arapahoes.

President Sanborn then inquired of the Cheyennes and Arapahoes whether they were willing for and desired such a confederation.

Black Kettle then answered for the Cheyennes and Arapahoes, and replied that they were willing for such confederation with the Apaches.

This council then adjourned.

TUESDAY, October 17, 1865.

The council assembled at 11 o'clock a. m. There were present on the part of the United States all the commissioners and secretaries, Interpreter William Shirley, and on the part of the Indians the following chiefs and headmen of the Comanche and Kiowa tribes, viz: Ta-han-son, or Little Mountain, Kiowa; Ta-ka-bull, or Stinking Saddle Cloth, Kiowa; Quien-ah-e-rah, or Eagle Drinking, Comanche; Pocha-naw-quamer, or Buffalo Hump, Comanche; and Ta-ha-yer-queip, or Horse's Back, Comanche. Parry-wah-can-ha-ritchiah, or Poor Bear, Apache chief, was also present.

President Sanborn spoke as follows, (the same being interpreted to the Indians,) viz: We are very much pleased, with the efforts made by you to return the prisoners spoken of yesterday. It satisfies us you are in earnest in your wish to make peace. It makes us feel as though we could deal more generously with you in the way of presents.

Between the commissioners and the Apaches there is no difficulty. We have already agreed with them on terms of peace. Through their chief, Poor Bear, they have signified their wish to join their tribe with those of the Cheyennes and Arapahoes. We shall gratify this desire and accede to their propositions.

Between the commissioners and Comanches there seems no ground of difference when they shall have delivered up the prisoners. There seems to be but one single matter to be settled between us and the Comanches and Kiowas, and that is the boundaries to be fixed for their country and the amount to be paid them for the surrender of their territory. In regard to this matter we are disposed to deal liberally with you, but you should understand that if you give up but little land you will get but little pay.

We shall not insist strongly on your surrendering all the land north of the Canadian, as I suggested yesterday, but shall leave it to you. But we are clearly of the opinion that your own interests require you to give up all the lands north of the Canadian. It is thought better that this matter should be settled in private council with the chiefs, and I therefore appoint Commissioner Murphy and Colonel Leavenworth your agent to meet you in private

council to arrange this matter. They will meet with you to-morrow morning at Colonel Leavenworth's tent.

We are all ready now, when this matter is settled, to draw up the treaty and have it signed, but it will be of no validity till the prisoners are delivered up. I have nothing more to say. I would like to hear from Poor Bear.

Poor Bear, Apache chief, says: My people are so small that my talk does not amount to much. Those about me are all relatives of mine. I always want to follow the white road and do what is right. I am pleased that you are all here; that you have come here from Washington to make peace. Neither I nor my people wish to do wrong, we always looking for what is right, and do not wish to be responsible for what is done by others. My people are few and weak. I love all my red brethren. My people are part of them north and part south, and I go from one to the other. I don't want to do anything that is wrong, and therefore do not want to speak much. I am done.

Eagle Drinking, Comanche chief, said: I spoke yesterday and all my friends around me understood me. I bear in my mind and heart the same feelings as the Great Father at Washington. I speak to my people as the Great Father at Washington does to his. I tell them to do nothing wrong, nothing that will displease the Great Father at Washington. I tell my friends to speak with one tongue and speak out their minds now with truth. I am fond of the land I was born on. The white man has land enough. I don't want to divide again.

President Sanborn: We don't want any of the Comanche lands.

Eagle Drinking: I don't know what my friends will say. I drink water out of the same river with you and have come a long way and am glad. I see all my friends that are around me with smiling faces and glad hearts. I do not want to say anything more.

Eagle Drinking said: I forgot one thing, that down in Texas they have several Comanches prisoners. I think they and some Kiowas ought to be delivered up.

President Sanborn said: Texas at that time was at war with us and not under our control. We are in power there now, and as soon as they can be obtained they shall be delivered up.

Eagle Drinking said: They are far off, and so are some of our prisoners. We shall expect them to be delivered up, and so will return all we have. The prisoners were taken at Van Dorn's fight at the Wichita mountains, and are now being educated and don't wish to come back to the tribe, but the tribe wish to visit them.

President Sanborn: They shall have that privilege.

Adjourned until 2 p. m. to-morrow.

WEDNESDAY, *October 18, 1865.*

The council assembled, all the commissioners and secretaries being present, at 2 o'clock p. m.

The Cheyennes, Arapahoes, and Apaches being about to depart for the Salt Plains, where their presents were being sent to be distributed, they having been set apart here, Little Raven, head chief of the Arapahoes, made the following remarks, viz: I am about to leave and want to speak a few words. We have received your presents and our annuities have been promised us again. Our hearts are glad. I am pleased. We have made peace. Our hearts are right. I want the Kiowas and Comanches to hear me and do right. They are around me. I want the commission to remain till they hear from those Indians who have gone after the prisoners. Keep a good heart and one mind and I hope all will be well. I want to know from you when the goods, our annuities, will come. As peace has been made, I don't

want to be doubted. The next goods that come, I want guns and powder. I want the traders you have given us shall have the right to sell guns and powder to us. Part of the Cheyennes and Arapahoes are far to the north. I can't speak for them. Next winter I will hear from them and let you know if they want peace or war. My young men have been two moons gone to carry the good news to the Indians north, that we have peace. As we have heard what you have said, listen to us. I am done.

Commissioner Steele replied as follows: When the Great Father heard that you wanted peace he sent us to make a treaty. When we left the Great Father at Washington he did not know whether or not peace would be made. The annuity goods are at the river; have been kept there because there was no place with the Indians. We have no right to say what shall be done with the goods, but do not doubt the Great Father will send the goods to them. To-morrow we will send a man on a fast horse to ask the Great Father to send the goods to them. If he says yes, they can be divided within fifty miles of Fort Larned in two moons. We think the Great Father will give his consent. With you, our hearts are glad that the cloud is removed and there is peace between our people and the brave tribes of Cheyennes and Arapahoes. We take your hands. Our hearts are right.

Adjourned.

WEDNESDAY, *October 18, 1865.*

Council assembled at 3 o'clock p. m. All present.

The Comanche chiefs desiring to depart, the treaty dated October 18, 1865, with the Comanches and Kiowas, was explained to them and signed by them.

In reference to the Kiowas, the commission awaits the return of the party who went after the white prisoners held by the Kiowas, Sa-tank, Ton-e-au-kah, and other Kiowas having started with an ambulance for that purpose on the morning of Tuesday, the 17th instant.

Council adjourned.

TUESDAY, *October 24, 1865.*

The council assembled at 10 o'clock a. m.

There were present, on the part of the United States, Commissioners Sanborn, (president,) Harney, Murphy, Leavenworth, and Steele, Secretaries Irwin, Atwood, and Murphy.

On the part of the Indians, the following named chiefs were present, viz: Of the Kiowas—Queil-park, or Lone Wolf; Wah-tah-konk, or Black Eagle; Tip-ki-yah, or Big Bow; Sa-tau-fa, or White Bear; Ton-a-en-co, or Kicking Eagle; Settom-ka-yah, or Bear runs over a Man; Kais-peya, or Plumed Lance; To-ham-son, or Little Mountain; Sa-tank, or Sitting Bear; Pawnee, or Poor Man; Ta-ki-bull, or Stinking Saddle Cloth. On the part of the Comanches—Bo-yah-wah-to-yeh, or Iron Mountain; Bo-yah-quar-suh, or Iron Shirt; To-sa-wi, or Silver Brooch.

Five of the prisoners were delivered up by the Kiowas and Comanches. The others not being in the immediate vicinity, will be delivered as soon as possible to Agent Leavenworth.

President Sanborn spoke as follows, (the same being interpreted by John Shirley into the Comanche tongue, and by Ta-ka-bull, or Stinking Saddle Cloth, Kiowa chief, into the Kiowa tongue,) viz: We are glad to meet you again to-day. Your speedy return with the prisoners satisfies us that you mean to make a strong peace. We are now ready to close the treaty, relying upon your honor to give up the remaining prisoners as soon as Colonel Leavenworth arrives with the goods at Salt Plains. The treaty we are about to conclude is one very favorable to you and your tribe. There is no reason why you should not live in quiet and peace for all days to come.

Our government, as a matter of course, will live up to this treaty and always treat it in good faith. We shall expect, and your interests require, that you shall do the same on your part. We are now at peace with all the people about you, whites and Indians in Texas, New Mexico, and Kansas. We feel under great obligations to those chiefs who so cheerfully brought in the prisoners, and we shall remember them kindly for it.

We shall be glad to meet any of the chiefs of these tribes in future and in peace and friendship. Our territory extends to the Rio Grande, and all people this side are our people and must be treated as our friends.

The prisoners surrendered are as follows: Mrs. Caroline McDonald, age, 26 years; residence, Fredericksburg, Texas. Rebecca J. McDonald, daughter, aged 1 year; James Taylor, nephew, aged 7 years; Dorcas Taylor, niece, aged 3 years; James Burrow, aged 7 years; residence, Georgetown, Texas.

The treaty dated October 18, formerly signed by a portion of the Comanche chiefs, was now signed by the remainder of the Comanche chiefs and by the chiefs of the Kiowa tribe of Indians.

Bo-yah-wah-to-yeh-bo, or Iron Mountain, chief of the Comanches, said: We are very anxious to talk to you. We shiver in the wind. We want the goods sent out to us as soon as possible. Our children want something to eat. These goods came from Washington for us, and we want them sent out to us.

To-sa-wi, or Silver Brooch, said: When the whites made treaty first I was there and made peace with them. When this war first broke out between the north and south all my friends went away and left me alone, and made war against me because I would not go. A-sha-hab-beet came back and made friends with me, and by this and their work this present peace has been made. Last winter, when they made treaty in Texas, I gave up five prisoners, and the hearts of the whites were glad, and they have given you your prisoners and your hearts are glad. The Texans had some children of mine prisoners and promised to give them up, but I have not got them yet. When these Indians came in here after doing bad, you give them your hands and hug them and don't notice me. I have always been for peace. I want you not to forget my prisoners and to be sure to get them for me. He came up to the treaty last August and could not get anything. His head chief went to Fort Smith for goods and could not get any there, so I do not know where I belong.

I came here to see what you would do for me, after I have worked so hard for peace. I want to know whether you want me to go on the plains and do like other Indians, and then you will give me presents and goods wherever I go. The Great Father at Washington promised me presents some time ago, such as houses, farming utensils, grain, &c., and I have got none yet.

I think before I get any of them I will die an old man, as I am pretty old now.

It was moved and adopted that the treaties concluded at, and the record of proceedings of this council, and other papers connected herewith, be transmitted to Washington, in the care of Commissioner Steele.

On motion the council adjourned *sine die*.

JOHN B. SANBORN,
President of Commission.

HON. JAMES HARLARN,
Secretary of the Interior.

Attest:
W. R. IRWIN, *Secretary.*

No. 15.

CAMP ON THE LITTLE ARKANSAS, KANSAS,
October 23, 1865.

SIR: We have the honor to transmit herewith, the record of a council held with the Osage Indians on the 18th instant, also of a council held on the 19th instant, with the Cad-oe, An-a-da-co, Wa-coe, Queech-i, Ta-wa-car-ro, I-oni, and Wichita tribes or bands of Indians.

The Osages were passing this point on a hunting expedition, and a council was held with them, with a view to obtaining the portion of their reservation which lies south of the Arkansas river, and which is within the limits of the territory proposed as a reservation for the confederated tribes of Cheyenne, Arapaho and Apache Indians. As will appear from the record, the purchase of this tract was not completed; it probably could have been done by delay and the use of presents, but we did not deem it essential that it should be purchased now, and if necessary it can easily be done in future by an agent, under your directions.

The council with the other tribes or bands referred to was held at their instigation and request, as they wished to have their condition and wants made known to the authorities at Washington.

The history of these tribes, their condition and wants, are fully stated in the accompanying record, and we recommend that they be brought together and settled in their former country; that John Shirley be appointed trader, and Colonel Jesse H. Leavenworth be appointed agent for these tribes, as requested and as appears in the record; that William Shirley be appointed interpreter (in accordance with petition of chiefs enclosed herewith;) and we also further recommend that the agency for all these tribes, viz, Cad-oe, A-na-da-co, Wa-coe, Queech-i, Ta-wa-car-ro, I-oni, and Wichita, together with the Comanche and Kiowa tribes of Indians, be established at Fort Cobb, as this will be the most convenient place where these tribes are located on their permanent reservations, and will have a tendency to keep them south, and away from the Santa Fé road. Many of these bands have already made some advancement in civilization and agricultural pursuits, and if properly provided for will most probably in a short time become self-sustaining. We therefore think it would be advisable to locate the most civilized tribes upon certain designated portions of the leased country, instead of allowing them to roam at large, and encourage them in agricultural pursuits. These refugee tribes are at present in the most impoverished and destitute condition, and prompt steps should be taken to relieve their immediate wants. They are nearly entirely destitute of clothing, and unless supplied in some manner will suffer from cold during the coming winter.

They represent to us that they are neglected, poorly supplied and cheated by their agent, Major Gookins. That they are poorly supplied is evident from their appearance, and the residence of the agent is distant from the Indian camps twenty-five miles, and this distance the Indians are compelled to go for what supplies they receive.

We think the matter should be investigated, and if the reports of the Indians are true, should be remedied.

We are, very respectfully, your obedient servants,

JOHN B. SANBORN.
THOS. MURPHEY.
JAMES STEELE.
WM. S. HARNEY.
J. H. LEAVENWORTH.

HON. JAMES HARLAN,
Secretary of the Interior.

Attest: W. R. IRWIN, *Secretary.*

REPORT OF COMMISSION TO TREAT WITH SIOUX OF THE UPPER MISSOURI.

FORT SULLY, DAKOTA TERRITORY,

October 28, 1865.

SIR: The undersigned, members of the commission appointed by the President to treat with hostile and other bands or tribes of Upper Missouri Indians, having discharged so much of their duties as the lateness of the season rendered practicable, have the honor to present the following report of their operations.

The steamer Calypso was furnished by the quartermaster's department in St. Louis, Missouri, upon the requisition of Major General Curtis, to transport the commissioners and supplies to Fort Rice, or such other post to be designated as the most eligible and convenient for assembling the several bands of Dakota or Sioux in council. The steamboat left St. Louis on the 6th of September, and reached Omaha, Nebraska Territory, on the 18th, with Commissioner Guernsey, who had gone on board at St. Joseph, Missouri. At Omaha, General Curtis and Superintendent Taylor embarked, and upon the arrival of the Calypso at Sioux City, Iowa, General Sibley, who had reached that place on the 11th of September, in accordance with his instructions, joined the commission, and the party proceeded up the Missouri river, without unnecessary delay, on the 23d of the same month. Much difficulty was experienced in navigating the river in consequence of the low stage of the water. On the 25th of September, the steamer ascended as far as Yankton, Dakota Territory, where Governor Edmunds was met and conferred with, and upon his representations of the necessity of visiting the Yankton and Crow Creek agencies on his way upwards, for the purpose of inspection, and the transaction of other official business, it was decided that he should proceed by land to Fort Sully.

Upon the arrival of the party at Yankton agency, Commissioner Edmunds was again met with and Commissioner Reed joined the commission at that point. By request of the principal men of the Yankton band, a council was held with them, all the members of the commission being present. You are respectfully referred to the record for information as to what transpired at the meeting.

At Fort Randall, on 29th of September, General Sibley received a despatch from General Sully, commanding the military district, stating that he had selected Fort Sully, where he then was, as the best place for the general council, instead of Fort Rice, as several of the chiefs and headmen had expressed their determination not to go to the latter post under any circumstances, and he had accordingly sent messengers to all the camps that could be communicated with of the change in the original programme. The results have demonstrated that it was judicious and wise.

Fort Sully was finally reached by the commissioners overland from the Crow Creek agency on 5th October, and the Calypso arrived on the 7th. The first council was held at the post on the 6th October, with the chiefs and headmen of the Minneconjos band, one of the most numerous, warlike, and mischievous subdivisions of the great family of the Teton Dakotas or Sioux. The record of proceedings, which has been minutely and accurately kept by the accomplished reporter of the commission, Mr. R. R. Hitt, will show that this band claimed to represent not only the views and wishes of all the hostile Sioux west of the Missouri, but also those of the Cheyennes and Arapahoes, with whom they had been in constant intercourse. All of these savages are represented by the Minneconjos as desirous of peace with the United States, but the great distance from the Missouri of many of their camps precluded all hope of a general assemblage of the headmen be-

fore next spring or summer. The commission have reason to believe that these statements are well founded ; indeed, the results subsequently attained proved their correctness so far as the kindred bands of Teton Sioux were concerned. There is little room for doubt that the Cheyennes, Arapahoes, and other tribes hitherto hostile, will yield to the prevailing anxiety for an early restoration of friendly relations with the government, and embrace the first opportunity which may be presented them of signing a treaty. The only exception to this general wish for peace is that of the bands encamped at or near the British boundary line, known as the Isanti Sioux, composed of refugees who participated in the horrible outbreak on the frontiers of Minnesota in the year 1862, and of others who have made themselves notorious by the murder and pillage committed on the peaceful settlers. It is reliably represented that those savages manifest a malignant determination to continue warfare upon the whites, but they do not seem to be supported by the aid or even sympathy of the conterminous bands of their own people.

The basis of negotiation was fixed, after a full and free conference with the chiefs and headmen of the Minneconjos, in accordance with the tenor of your general instructions ; and a treaty was finally signed on the 10th October, in which the band recognized the exclusive jurisdiction of the United States ; obligated themselves to cease all hostilities, not only against our government and people, but against other bands or tribes of Indians ; to use their influence, and, if requisite, physical force, to prevent other bands from molesting the persons and property of the whites ; to withdraw from all overland routes established or to be hereafter established through their country ; and not to perpetrate or permit any injuries to travellers thereon.

It was deemed useless, as well as impolitic, to make any attempt to enforce conditions upon this wild, nomadic band, having reference to a future location for purposes of agriculture and other labor. The mere mention of a possibility that its members would be compelled eventually to conform to the wishes of the government in that respect, and thereby consult their own permanent interests, was received with unmistakable tokens of dissent, and the commission therefore declined to press the point, lest it might endanger the success of the more important object, that of securing a peace with a band manifestly exercising great control and influence over the great kindred subdivisions of the Teton Dakotas or Sioux, heretofore allied with them in hostilities against the United States.

Treaties incorporating like provisions, and, when practicable, articles for the aid and encouragement of individuals or portions of the bands, or of the bands themselves, in locating them upon reservations and engaging them in agricultural or other kindred labor, were subsequently concluded with the Lower Brulés, Two Kettles, and Blackfeet, all important branches of the Teton Sioux, numbering in the aggregate six hundred lodges, or thirty-six hundred souls, fully represented ; with the Lower Yanktonais, who inhabit the great prairies east of the Missouri, and who claim two hundred and seventy lodges, or sixteen hundred souls, (leaving out one hundred lodges not represented in council ;) and with portions of the Etah-ye-cho or Sans Arcs, the Onk-pah-pahs, and the Ogallallas, only partially represented by chiefs and headmen. The great majority of the last-mentioned subdivisions, and many of the warriors of the other bands treated with, have been among those most hostile to the whites.

There still remains to be reached, of the Dakotas or Sioux, one or two entire bands, and such parts of others as did not make their appearance in council by their immediate representatives. The messages sent to them, and also to the Cheyennes and Arapahoes, through various sources, by the commissioners, will prepare them for such future propositions as you may see fit to authorize. The undersigned respectfully recommend a division of

the present or the appointment of two new commissions to visit the Fort Laramie region and the Upper Missouri simultaneously, as early in the coming spring as practicable. It will be physically impossible for a single commission, in the same season, to visit and treat with the many bands and tribes embraced in your programme of instructions, and to secure the overland route and that by the Missouri river from annoyance by Indians. Negotiations should be commenced with the savages infesting these great highways without unavoidable delay. The commission should be *en route* to their respective fields of operation not later than the month of May next. The principal obstacle to negotiations has been found in the pertinacity with which the wilder and more savage of the bands west of the Missouri opposed the establishment of new overland routes through their country. They stated repeatedly and emphatically that the existing routes, including the Missouri river, could and would be protected from annoyance in the future by their people; but in case other and newer routes should be opened, which would still more contribute to the diminution of the buffalo in the country, where they are now found in numbers sufficient to subsist them, it would be impossible to restrain the younger men from the commission of outrages upon the persons and property of citizens passing to and fro thereon. The chiefs and headmen were plainly admonished that such a course would bring swift and sure retribution upon the guilty parties, and that they themselves would be held accountable for injuries perpetrated upon the whites by members of the band—that they must exercise authority to prevent the commission of such hostile acts. And they were further informed, again and again, that the whole region occupied or frequented by them, and by all the other Indians, belonged to the United States; and their Great Father, the President, claimed the right to make as many roads as he might consider necessary through such territory.

The annuity provided to be paid the several bands, as a compensation for the diminution of game occasioned by the passage of citizens with trains through their country, amounts to about thirty dollars per lodge or family, as nearly as the number could be estimated by a comparison of the information derived from various sources, and is payable in all cases in such articles as the Secretary of the Interior may direct, for a period of twenty years.

Inasmuch as the treaty concluded at Fort Laramie on September 17, 1851, which stipulated that the Sioux Indians, and other tribes who were parties thereto, should receive an annuity of fifty thousand dollars for fifty years, was so amended by the Senate as to substitute a payment of seventy thousand dollars for fifteen years, which amendment does not appear to have been submitted to the contracting bands and tribes, although required to be so submitted, will expire this year, if it has not already expired by that limitation, it is earnestly recommended that an appropriation by Congress be continued for some years longer, in view of the fact that the Indians, not being aware of the changes made, entertain the belief that the sum provided will be faithfully paid by the government as heretofore, for the time specified in the original instrument. As a measure of policy, to mention no other and higher considerations, there should be no failure at this crisis in redeeming, to its full extent, what the Indians believe to be the solemn pledge of the government.

In addition to the articles contained in the treaty with the Minneconjos, there have been others inserted in those negotiated with the Lower Brulé and some other bands, for the aid and encouragement of such individual or individuals among them as should evince a desire to abandon the roaming life and engage, upon a permanent reservation, in agricultural and other labor; provision is made for the payment of twenty-five dollars for each

lodge or family annually, for five years, to be expended under the direction of the Secretary of the Interior, for stock, farming implements, and improvements, the two former to remain the property of the United States, to be used by the respective bands for their own benefit, but not to be sold or alienated by them.

The almost insuperable aversion of the great majority of these people to labor of any kind, except that of the chase, can only be overcome by some inducement of the kind referred to, and it was expressly stated in each treaty that in case any portion of a band should elect to engage in farming, or some kindred occupation, they should be permitted to do so, without molestation or injury by other Indians or by the whites.

Apart from general expressions of regret on the part of the chiefs and headmen who have remained friendly, characterizing the conduct of the hostile savages as wrong and foolish, the undersigned have been unable to ascertain the existence of any really amicable feeling among these people towards the government. At each council complaints were preferred of ill treatment or fraudulent practices by Indian agents, traders, and other white men, and all appeared to regard a restoration of kind relations with the United States in the light of interest or profit to themselves, and not inspired by more humane or generous sentiments. The antagonism of the two races in views, habits, and modes of life was presented by the chiefs at each conference in a most distinct and palpable form, and it was quite evident that a compliance with the terms of the treaties, and a termination of hostilities, by a great majority of those composing the Dakotas or Sioux bands, will be the result rather of their fears of our power than of attachment to the government and people of the United States.

Humanity, not less than sound policy, demands that the evils of which they justly complain should be corrected without loss of time. Improper persons, whether in the civil or military employ of the government, or engaged in private enterprises as traders, should be summarily removed from the Indian country, and no white man permitted to remain in it whose conduct or influence tends, in anywise, to injure the Indians, or to cause disaffection among them. It is believed that the prevailing bad state of feeling alluded to is mainly attributable to the outrages so often perpetrated upon them by reckless and bad white men. Many instances of an utter disregard of the natural rights of the bands treated with, and of the injustice done them by residents and by soldiers, as well as travellers through their country, have been brought to the notice of the commission. These people must be dealt with in a firm and just manner, and protected from a recurrence of the frauds and injuries of which they have been the victims, or the alternative is plainly presented of hostilities being renewed with increased fury and ferocity, which will require for their suppression a vast expenditure of blood and treasure.

When the agents appointed by the government can be surely looked up to as the protectors of those under their charge against oppression and wrong, rather than, as has too often been the case, the facile instruments in the perpetration of such outrages, we may reasonably hope for a favorable and radical change in the feelings of all the bands and tribes towards our government and people.

In this connexion the undersigned feel bound to present for your special consideration the affairs of the Yankton Sioux, who receive annuities under existing treaties, and have proved their fidelity during the troubles of the past few years by rendering important aid to the military authorities of this district. Instead of being found in a thriving and prosperous condition, as was to be expected after the expenditure of large sums of money, ostensibly for farming and school purposes, as stipulated, the undersigned were as-

tonished to discover that no improvements worthy of the name have been made upon their lands, and indeed it was necessary for the commission to order an issue of provisions to the band to save them from absolute starvation. The details made by their principal chief, an intelligent man, of the mode in which their business has been conducted by agents heretofore in office, were taken down in open council, and they reveal a condition of things alike disgraceful to the government and ruinous to the material interests of this well-disposed band. With the exception of a few miserable huts, a saw-mill, and a small amount of land enclosed, there are few vestiges of improvement. No crops met the eye, nor is there the semblance of a school-house, although quite a large sum is understood to have been devoted to that special object. The consequence of this mal-administration of their affairs heretofore is, that they are reduced to the necessity of hunting for a subsistence, and unless they are soon reassured and encouraged they will be driven to despair, and the great discontent existing among them will culminate in another formidable Indian war on the frontier of Dakota Territory.

The undersigned deem it proper also to represent the miserable state of the Sioux Indians, principally women and children, who were taken prisoners in 1862, after the outbreak in Minnesota, and transported the following spring to the Crow Creek reservation, on the Missouri river. Concurrent evidence, of the most reliable character, shows these helpless creatures to have been kept in a condition of semi-starvation for the two years following their arrival at their new home, during which period several hundred have died from actual want, or from disease superinduced by it. There are about a thousand remaining on the reservation, of whom only one-tenth are men, mostly aged and infirm. Even now, although every effort seems to have been made by the superintendent and agent to secure a proper supply, these people are receiving an amount of subsistence barely sufficient to sustain life, the liberal appropriation made by Congress for their benefit not having been expended for that purpose sufficiently early in the season to secure the delivery of the provisions at so high a point on the river. In fact, Superintendent Edmunds was officially informed from the Indian Office, in Washington, that a considerable portion of the sum appropriated had been anticipated by his predecessor in office. It is earnestly recommended that the most prompt and effective means be adopted for the relief of these wretched dependents upon the mercy of the government. While apparently willing and anxious to aid in supporting themselves by farming, the experience of two of the three seasons they have spent in that locality has demonstrated that there is no reliance to be placed upon the products of the ground. In fact, labor in that direction seems to meet with no corresponding return, in consequence of the prevailing drought and poor soil.

The undersigned do not conceive themselves to have deviated from the line of duty prescribed in your instructions in the introduction of these special cases to your notice; on the contrary, we understand that the commissioners were selected, not only with a view to negotiate treaties, but to inquire into and report such abuses or defects in the existing system of Indian policy as might fall under their observation, and suggest a remedy.

It is deemed highly important to the public interests that Indian agents be made subordinate to their immediate superior in office, which the law provides shall be the case, but practically this requirement has been dispensed with in many instances, those officials communicating direct to the Commissioner of Indian Affairs, instead of through the intermediate offices. Proper discipline and subordination require that all intercourse of an official character should pass through the proper channels, and superintendents can justly be held to a responsibility which it would now be wrong to impose or

exact. It is also respectfully suggested that the superintendent of Dakota Territory, and of the northern superintendency, be required as a special duty to visit the agencies within their respective jurisdictions twice in each year, if practicable, to make a searching investigation into the accounts and management of the agents, and report accurately the result; to listen to and redress the well-founded grievances of the Indians, and to exercise summary power in the removal from the country of white persons other than the agent, or military officers, or employés, who are doing injury to the Indians by influence or example, with the right to call upon military commanders for their co-operation and assistance. As a salutary check upon the abuse of authority so considerable the superintendent should be called upon to report all the facts and circumstances in such cases, and an appeal from his decision allowed to the higher authorities, as now required by law.

In submitting this report upon their operations the undersigned would not do justice to those Dakota Indians who have remained faithful in their friendship to the government were they to omit a special mention of their good offices. Some of them have been active in the rescue and return to their friends of white captive women and children, while others have proved themselves reliable as scouts and guides to the troops in motion against their own kindred. Thus far they have received but an inadequate compensation for such services, which deserve to be requited in a substantial and liberal manner, not only on the score of justice, but as an inducement to others to pursue a like course. A much broader line of demarcation should be made than heretofore between those who shall persist in an unfriendly attitude towards our citizens and others who pursue an opposite course. As we understand the policy of the government to be to conciliate and preserve the remaining tribes, rather than to make war upon and exterminate them, it becomes the more incumbent upon all officers of the government, civil and military, to guide themselves accordingly, and it should be the aim of all so to conduct their official relations with these people as to convince them that it is for their interest to be true and firm friends of the whites.

It is due to the officers and attachés of the commission to mention that they have discharged their several duties with alacrity and zeal. Captain Ruth, appointed by you secretary of the commission, has performed the functions of that office with commendable fidelity.

The record of proceedings, and the treaties, are respectfully forwarded with this report.

The commission finally adjourned, subject to your future instructions, the individual members to report to you by letter or otherwise.

NEWTON EDMUNDS.

EDWARD B. TAYLOR.

S. R. CURTIS, *Major General*.

HENRY H. SIBLEY, *Brigadier General*.

HENRY W. REED.

ORRIN GUERNSEY.

E. F. RUTH, *Secretary of Commission*.

HON. JAMES HARLAN,

Secretary of the Interior, Washington City, D. C.

CIRCULAR INSTRUCTIONS ISSUED BY OFFICE OF COMMISSIONER OF INDIAN AFFAIRS SINCE JULY 11, 1865.

Circular to superintendents of Indian affairs and Indian agents.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, Washington, D. C., July 17, 1865.

SIR: It appearing that differences have arisen between the superintendents and agents appointed by this department and the military authorities, at and near Indian reservations and agencies, as to the treatment of and intercourse with the Indians who are hostile to the United States, it is deemed necessary to inform you of the policy adopted by this department in its connexion with the military authorities during the continuance of such hostilities. This department will subordinate its action and intercourse with the tribes and bands in hostility to the United States to the policy and operations of the War Department pending such hostilities; and, on the other hand, support the agents and employés of the Interior Department in the performance of their official duties, and in the enforcement of the rules and regulations governing our intercourse with Indians in amity with the United States.

In consonance with this policy, therefore, you are hereby instructed not to deliver goods, money, or other property to any Indian nation, tribe, or band, while they are in hostility to the government; you will be especially vigilant that no trader under your supervision has any trade or intercourse with any member of such disaffected tribe, or band, under penalty of revocation of his license and expulsion from within your jurisdiction; and you will suspend all intercourse with such Indians, except so far as the same may be sanctioned by the military officers in charge of operations against them.

You are further instructed to refrain from furnishing to the public, or to individuals in such manner that it may be laid before the public, information upon the subject of Indian affairs. In regard to this subject, your attention is called to the circular instructions from this office of January 26, 1865, in which the communication to the public of information of pending affairs relating to the Indians, and a neglect to advise this office or the Interior Department of matters of importance, receiving or needing attention, was mentioned as being sufficient cause for dismissal from office.

Where difficulties arise in enforcing the civil policy of the government with the Indians who are at peace with the United States, you will request the assistance and co-operation of the proper military authorities.

If, at any time, it shall appear to you that officers of the army are interfering with the proper execution of your duties as civil agents of the government, or that they fail to render you such aid as is necessary to enable you to enforce regulations, adopted alike for the good of whites and Indians, you will content yourself with making a full representation of the facts at once to this office, or to the Secretary of the Interior, when measures will be taken by the department to bring about, if possible, the co-operation of the military officers with you in such measures as may be deemed proper.

You will hereafter make a full and explicit monthly report to this office of the condition of the tribe or tribes under your charge, with such suggestions as you may deem beneficial.

D. N. COOLEY, *Commissioner.*

[Indorsed.]

The concurrence of the War Department in the within is expressed in the following letter :

WAR DEPARTMENT,
Washington City, July 22, 1865.

SIR: I am instructed by the Secretary of War to inform you that he concurs in the views expressed in your communication to the Commissioner of Indian Affairs, a copy of which was enclosed in your letter of the 15th instant, and also to state that the Adjutant General has been directed to transmit to Major General Pope a copy of the communication in question.

I have the honor to be, sir, your obedient servant,

THOS. F. ECKERT,
Acting Assistant Secretary of War.

HON. JAMES HARLAN,
Secretary of the Interior.

Circular relative to the preservation of records and papers.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, August 15, 1865.

SIR: As great embarrassment is frequently found to result from the want of records of the past transactions at agencies, upon a change of agents, it is hereby ordered, and you will immediately transmit the order to each of the agents within your superintendency, that hereafter they will be expected to keep, as public property to be turned over to their successors, a full record of all business transactions from day to day; and that, in addition to the records of correspondence, they will likewise preserve one copy of all vouchers, accounts current, property returns, &c., to be delivered to their successors in office.

Very respectfully, your obedient servant,

D. N. COOLEY, *Commissioner.*

Circular relative to accounts of employés.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs, October 25, 1865.

SIR: It has been customary for the officers of this department, in making their reports of employés, and in their accounts, to report and pay persons as "laborers."

Such reports furnish no information as to the manner in which the persons reported are employed; and hereafter all accounts for moneys paid to them will be disallowed, unless such accounts are accompanied by an accurate statement of the nature and character of the services performed by them, and, where practicable, the result of their labor.

Reports of employés must also be accompanied by a statement of the manner in which all persons reported are employed.

You will at once communicate the contents of this letter to the agents under your charge.

Very respectfully, your obedient servant,

D. N. COOLEY, *Commissioner.*

Circular relative to licenses.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, October 30, 1865.

SIR: For the government of yourself and the agents within your superintendency, in the matter of granting licenses to trade with the Indians, I herewith enclose the form of a certificate or affidavit which will hereafter be made a part of every license issued. You are directed to inform the agents of your charge of this requirement and to supply them with a copy of the form.

Very respectfully, your obedient servant,

D. N. COOLEY, *Commissioner.*

FORM.

I, (name of agent,) United States Indian agent for the (name of tribe) Indians, do solemnly swear (or affirm; or where there are no magistrates accessible, certify on honor) that the license hereto annexed and granted by me has been granted without any agreement or understanding with the party so licensed, or any other person or persons on the behalf of the party so licensed, for any benefit or advantage to myself, directly or indirectly, present or future, nor to any person or persons on my behalf, in any manner whatever, and that no arrangement for such benefit to myself or other person on my behalf is in contemplation, in case said license shall be approved.

Circular relative to contracts for purchase of goods.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 23, 1865.

The following rules and regulations, having been approved by the Secretary of the Interior, will hereafter govern the action of all superintendents and Indian agents in purchasing goods or supplies for the Indian service, and in executing contracts for the same:

First. When treaty stipulations or the interests of the service require purchases to be made by superintendents or agents, they will forward to this office a list of the articles to be purchased, with the probable cost of the same, and await instructions before taking further action.

Second. When advertisement for bids and proposals has been made, and such bids and proposals have been received and opened, a contract will be drawn and submitted to the department for approval. The time within which a contract is to be completed will in no case be so short as to prevent the decision of the department from being communicated to the superintendent or agent before such completion.

When contracts are made by superintendents, they will state, in submitting the same, whether or not the bids are fair and the prices reasonable; and when made by agents, both they and the superintendent will make such statement.

By act of March 2, 1861, it is provided "that all purchases and contracts for supplies or services in any of the departments of the government, except for personal services, when the public exigencies do not require the immediate delivery of the article or articles, or performance of the service, shall be made by advertising a sufficient time previously for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the places, and in the manner in which such articles are usually bought and sold, or such services engaged, between individuals."

The officer making the purchases will not be the sole judge of the "public exigency" alluded to in this act; but he will be required, either before the purchases are made or at the time, to report such facts as will make it clear to this department that an exigency such as is contemplated by this act does actually exist; and the purchases made will be limited to the absolute necessities of the service. With proper foresight and care on the part of superintendents and agents, it is believed that such exigencies will seldom arise.

Advertisements for bids or proposals will be made in one or more papers (not exceeding three) of the largest circulation at the place most eligible for making the proposed purchases; and they will be so framed that bids or proposals for each article may be considered separately, reserving the right to increase or diminish the quantity of each, or to reject all bids, subject to the approval of the Commissioner of Indian Affairs.

The law of June 2, 1862, requires that all contracts, whether made after advertising or upon an emergency, shall be in writing, and signed by the parties.

In this connexion, the attention of officers of this department is called to the requirements of the first three sections of the act of June 2, 1862, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of War, of the Secretary of the Navy, and the Secretary of the Interior, immediately after the passage of this act, to cause and require every contract made by them, severally, on behalf of the government, or by their officers under them appointed to make such contracts, to be reduced to writing, and signed by the contracting parties with their names at the end thereof, a copy of which shall be filed by the officer making and signing the said contract in the "Returns Office" of the Department of the Interior (hereinafter established for that purpose) as soon after the contract is made as possible, and within thirty days, together with all bids, offers, and proposals to him made by persons to obtain the same, as also a copy of any advertisement he may have published inviting bids, offers, or proposals for the same; all the said copies and papers in relation to each contract to be attached together by a ribbon and seal, and numbered in regular order numerically, according to the number of papers composing the whole return.

SEC. 2. *And be it further enacted,* That it shall be the further duty of said officer, before making his return according to the first section of this act, to affix to the same his affidavit in the following form, sworn to before some magistrate having authority to administer oaths: "I do solemnly swear (or affirm) that the copy of contract hereunto annexed is an exact copy of a contract made by me personally with ————; that I made the same fairly, without any benefit or advantage to myself, or allowing any such benefit or advantage corruptly to the said ————, or any other person; and that the papers accompanying include all those relating to the said contract, as required by the statute in such case made and provided." And any officer convicted of falsely and corruptly swearing to such affida-

vits shall be subject to all the pains and penalties now by law inflicted for wilful and corrupt perjury.

SEC. 3. *And be it further enacted*, That any officer making contracts as aforesaid, and failing or neglecting to make returns of the same according to the provisions of this act, unless from unavoidable accident and not within his control, shall be deemed, in every case of such failure or neglect, to be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, and be imprisoned for not more than six months, at the discretion of the court trying the same.

Very respectfully, your obedient servant,

D. N. COOLEY, *Commissioner*.

Circular.—Relative to payments to Indians.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 30, 1865.

SIR: It has long been a rule of this department that all issues of goods and payments of annuities to Indians must be witnessed, not only by one or more disinterested parties, but also by an interpreter.

The same reasons that gave rise to this rule apply equally to the payment of any moneys or the delivery of any articles to Indians; and, therefore, the department will hereafter require that all receipts and vouchers from Indians be witnessed by an interpreter, and by one or more disinterested persons, and you will so advise all agents under your charge.

Very respectfully, your obedient servant,

D. N. COOLEY, *Commissioner*.

No. 191.

Table showing the amount anticipated from appropriations for fiscal year ending June 30, 1866, prior to July 1, 1865.

Fulfilling treaties with—	Appropriations for 1865-'66.	Used from ap- propriation be- fore July 1, 1865.
Blackfeet Indians.....	\$35,000 00	\$2,169 69
Chippewas of Lake Superior.....	48,146 66	15,000 00
Chippewas of the Mississippi.....	208,168 67	10,935 07
Chippewas of Red Lake and Pembina.....	49,290 00	12,240 00
Choctaws.....	35,520 00	15,400 00
Creeks.....	40,920 00	23,600 00
Pawnees.....	47,780 00	17,500 00
Sacs and Foxes of the Mississippi.....	51,000 00	8,728 60
Seminoles.....	32,200 00	18,600 00
Six Nations of New York.....	4,500 00	2,809 07
Winnebagoes.....	54,250 00	20,000 00
Yancton Sioux Indians.....	75,000 00	28,953 00
Arapaho and Cheyenne Indians of Upper Ar- kansas river.....	40,000 00	4,687 50
Amounts.....	749,275 33	185,622 43
<i>Miscellaneous appropriations.</i>		
Colonizing, supporting, &c, the Wichitas and other affiliated bands.....	\$20,000 00	\$10,000 00
Incidental expenses, Indian service in Utah.....	25,000 00	25,000 00
Incidental expenses, Indian service in Nevada..	25,000 00	20,078 07
Indian service in the district of country leased from the Choctaws.....	10,000 00	5,000 00
Purchase of cattle, &c., for Indians in California.	55,000 00	29,137 20
Subsistence, clothing, &c., of the Sisiton, Wah- paton, Medawakaton, and Wahpakoota bands of Sioux.....	100,000 00	26,304 75
Amounts.....	235,000 00	115,520 03
RECAPITULATION.		
Anticipated from treaty appropriations.....	\$749,275, 33	\$185,622 43
Anticipated from miscellaneous appropriations.	235,000 00	115,520 03
Total.....	984,275 33	301,142 45

No. 192 A.

*Indian trust lands.*DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 1, 1865.

SIR: In compliance with your verbal request, I have examined into the condition of the trust lands of the following tribes of Indians, viz: Sacs and Foxes of Mississippi, Kansas Indians, Sacs and Foxes of Missouri and the Winnebagoes, and the results of my investigations are herewith submitted in papers marked "A," "B," "C" and "D." In addition to the land account, I have given a statement of the amount of indebtedness of each tribe, the amount paid thereon and the sum outstanding, respectively; also, an exhibit of the contracts entered into by Secretary Smith with R. S. Stevens, for making improvements for the Sacs and Foxes of Mississippi and the Kansas tribe on their reservations, with a brief statement of the settlements connected with that transaction.

The Sacs and Foxes of Mississippi.—This tribe was largely indebted to traders for goods purchased through a series of years, and under the treaty of 1859 it was provided that a commission should be appointed to examine and settle the claims that might be found correct and just. This commission proceeded to examine the various accounts and reported in favor of forty-five claims, amounting to..... \$151,485 29
Subsequently Mr. Fuller, one of the commissioners, recommended the payment of an additional claim of Dr. Smart of 4,056 88
Afterwards, the Secretary of the Interior admitted and approved a claim of J. H. Lockwood, for..... 1,609 24

Whole amount of debt admitted.....	157,150 81
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This last item was objected to by the Indians, and Perry Fuller filed a remonstrance against its payment, which the Secretary overruled.

There being no funds to the credit of said Indians, certificates of indebtedness were issued for the gross amount above stated, and dated, principally, March 12, 1861, to be paid out of the proceeds of the sales of certain lands appropriated for that purpose. A statement of the amount redeemed will be found at the conclusion of this report.

In 1861 it was decided by the department, as per treaty stipulation, to make such improvements on the Indian lands as the wants of the tribe demanded, and Perry Fuller, the Indian agent, was directed to enter into a contract with R. S. Stevens, for performing the work then required. The contract entered into was for breaking and ploughing 150 acres land, at \$5 per acre; building fence, at \$2 per rod; building three houses for missions and schools, at \$10,000. At the same time a contract was also made for building houses, &c., for the Kansas tribe, which will more fully appear in report "B."

Early in the spring, after Mr. Stevens had commenced the work under the contracts, Secretary Smith ordered the suspension of the work, and finally annulled both contracts, and the work already performed was appraised at \$21,900 for the Sacs and Foxes, and paid. On the 9th of August, 1861, a new contract was entered into between Secretary Smith and Mr. Stevens, for the building of 245 houses, and 3 others for missions and schools, at the following rates: frame houses, 16 by 18, \$270; 16 by 24, \$360; 18 by 30, \$450. Mission, &c., 30 by 60, 20 by 40, 24 by 32, \$9,000. In December this contract was changed so as to permit the erection of stone houses in

place of the frame, and two mission houses instead of three, as stated in first agreement, as follows: 16 by 18, \$330; 16 by 24, \$440; 18 by 30, \$550; and two missions, 30 by 60 and 34 by 60, at \$9,000.

In May or June, 1862, Special Agent Brady examined and accepted 121 houses as finished, and certified the bill, \$52,820.

In July Agent Hutchinson notified this office that the houses were not finished according to contract—they lacked underpinning, were sinking into the ground, and would prove worthless for dwellings; also, that the ploughing was imperfectly done, leaving the ground in a worse condition for farming purposes than if it had not been touched.

In August Stevens's account was admitted for..... \$109, 098 05
Cash paid on account..... 24, 883 87

84, 214 18

Amount added for some alleged omission (no explanation).... 4, 860 00

Total..... 89, 074 18

For this amount certificates were issued as follows:

103 of \$100 each; 51 of \$250 each; 80 of \$500 each; 26 of \$1,000 each; 1 of \$24 18, making \$89,074 18, and forwarded to Stevens the day they were issued.

In a subsequent report the Commissioner admits Stevens's account for the whole contract at..... \$134, 145 00

The work having been examined and approved by Special Agent Brady, he deducts cash paid..... 24, 883 37

And states the balance to be \$109,181 13; it should be..... 109, 261 63

The work reported under the contract as completed is as follows:

9 wooden houses, 16 by 18, at \$270	\$2, 430 00
47 wooden houses, 16 by 24, at \$360.....	16, 920 00
40 wooden houses, 18 by 30, at \$450... ..	18, 000 00
4 stone houses, 16 by 24, at \$440	1, 760 00
64 stone houses, 18 by 30, at \$550.....	35, 200 00
2 mission houses.....	9, 000 00
1 stable and fence	360 00
150 acres ploughing, at \$4 50....	675 00
6 houses for chiefs, &c.; 1 barn, 1 well, 164 porches, and 90 chimneys in place of 81 houses....	41, 160 00
	<hr/> 134, 145 00

Cash paid..... 24, 883 87

Cash paid, barn and fence
 360 00 |

Certificates issued..... 85, 491 13 110, 735 00

Balance..... 23, 410 00

For which certificates were issued: 46 of \$500 each, 1 for \$250, 1 for \$160.

Lumber account admitted, \$2,187 50, for which six additional certificates were issued.

A recapitulation of the foregoing statement shows an overpayment to Stevens of \$3,583 05, as follows, viz:

Cash paid	\$24,883 87	
Cash paid for barn and fence	360 00	
Certificates issued, 1st	89,074 18	
Certificates issued, 2d	23,410 00	
Certificates issued, 3d	2,187 50	
Whole amount paid Stevens		139,915 55
Amount of account admitted for houses, &c.	\$134,145 00	
Amount of account for lumber	2,187 50	
		<u>136,332 50</u>
Overpayment		<u>3,583 05</u>
The number of acres of land offered for sale is	339,832 ⁶⁰ / ₁₀₀	
The number of acres of land sold is	268,502 ⁶⁵ / ₁₀₀	
Acres unsold	71,329 ⁹⁵ / ₁₀₀	
Total amount of sales		\$282,439 27
Cash received	\$153,664 55	
Certificates surrendered in payment	128,774 72	
		<u>282,439 27</u>
Certificates redeemed in cash	\$153,461 55	
Certificates redeemed in land	128,774 72	
Bill paid	43 00	
Cash in treasury to balance	160 00	
		<u>282,439 27</u>
Traders' scrip issued	\$157,150 81	
Redeemed principal	144,044 76	
		<u>\$13,106 76</u>
Stevens's scrip issued	114,671 68	
Redeemed principal	101,203 85	
		<u>13,467 83</u>
Amount of outstanding certificates		<u>26,574 59</u>
Traders' scrip redeemed		\$144,044 76
Stevens's scrip redeemed		101,203 85
		<u>245,248 61</u>
Interest on traders' scrip redeemed	\$21,564 74	
Interest on Stevens's scrip redeemed	15,422 92	
		<u>36,987 66</u>
Total amount of scrip and interest redeemed		<u>282,236 27</u>

Respectfully submitted.

F. PRICE.

No. 192 B. *Indian trust lands.—Kansas tribe of Indians.*

In a careful examination of the accounts of R. S. Stevens for improvements made for this tribe under the several contracts, I find the result to be as herein stated, viz :

In February, 1861, Agent Fuller, by the advice of Commissioner Greenwood, entered into a contract with Mr. Stevens for building—

1 agency house, 24 by 32, and wing, 16 by 18, for.....	\$4,000 00
10 frame houses, 16 by 24, at \$500 each	5,000 00
142 frame houses, 16 by 18, at \$400 each.....	56,800 00
1 barn, 18 by 28, at.....	600 00
	<hr/>
	66,400 00
	<hr/>

During the summer of 1861 this contract was revoked by Secretary Smith, and \$4,000 paid to Stevens, being the amount of work he had performed by appraisement up to that time. On August 9, 1860, a new contract was made by Secretary Smith and Mr. Stevens for building 150 frame houses and 3 houses for missions and schools, at the following rates, viz :

10 houses, 16 by 24, at \$450 each.....	\$4,500 00
140 houses, 16 by 18, at \$360 each.....	50,400 00
3 mission houses, 30 by 60, 20 by 40, 24 by 32.....	9,000 00
	<hr/>
	63,900 00
	<hr/>

On December 28, 1861, this contract was changed, and Mr. Stevens was authorized to erect stone houses in place of the frame, and to substitute two mission houses instead of the three named in the contract, at the following rates, viz : Stone houses, 16 by 18, \$420; 16 by 24, \$530; 18 by 30, \$640. Mission houses, 30 by 60 and 36 by 60, at \$9,000.

On March 31, 1862, Mr. Stevens rendered his bill of \$12,310 for building 20 stone houses, 1 frame house, and one mission house, which were accepted by Special Agent Brady, and said account was approved by Commissioner Dole, and audited by the Second Auditor, and \$7,250 29 allowed on account, and the balance suspended for want of funds.

By a report of Commissioner Dole to the Secretary, August 23,

1862, Stevens's bill was allowed for.....	\$79,778 60
Less cash paid.....	9,145 15
	<hr/>
	70,633 45
	<hr/>

And certificates, viz : 106 of \$100 each; 76 of \$250 each, 40 of \$500, 21 of \$1,000, and 1 of \$33 45, were issued and transmitted the date they were executed.

In a subsequent report to the Secretary the amount of Stevens's

bill is stated at.....	\$98,454 00
Less cash paid.....	\$9,114 15
Less defective work.....	400 00
	<hr/>
	9,545 15
	<hr/>

Balance due	88,908 85
	<hr/>

In November, 1862, the Commissioner reports a statement of the account on final settlement in detail, as follows, viz:

23 stone houses, 16 by 18, at \$420	\$9,660 00
45 stone houses, 16 by 24, at \$530	23,850 00
61 stone houses, 18 by 30, at \$640	39,040 00
1 wooden house, 16 by 24, at	450 00
2 mission houses	9,000 00
100 acres breaking	450 00
2,880 rods fencing, at \$1 80	5,184 00
To which is added other work substituted for 13 houses, viz :	
1 well, 1 council-house, 1 barn, 1 interpreter's house, 2 wells,	
24 chimneys, 134 pair stairs, moving 1 house, repairing 1	
house-chimney, furnishing 1 house	7,330 00
	<hr/>
	94,964 00
Cash paid	\$9,145 15
Certificates issued	69,416 85
Deduction, \$5 each, on 80 houses	400 00
	<hr/>
	78,962 00
	<hr/>
	16,002 00
	<hr/>
	<hr/>

And certificates, viz., 13 of \$1,000 each, and 6 of \$500 each, were issued and delivered to Stevens in payment for the above balance.

On a recapitulation of the foregoing statement Stevens has been overpaid the sum of \$1,214 60, as follows, viz:

Certificates for 1st issue	\$70,633 45
Certificates for 2d issue	16,000 00
Cash paid	9,145 15
Deduction for deficient work	400 00
	<hr/>
Amount of payments	95,178 60
Amount of bills allowed and settled	94,964 00
	<hr/>
Overpayment	1,214 60
	<hr/>
	<hr/>

The following statement gives an exhibit of the financial condition of the tribe and the amount of land for sale to meet the outstanding debts chargeable to the land account, viz :

Original amount of land offered for sale	169,268.48
Number of acres sold	35,491.32
	<hr/>
Number of acres unsold	133,777.17
	<hr/>
Amount of sales	\$50,994 47
Cash received	\$27 30
Certificates received	50,982 99
	<hr/>
	51,010 29
	<hr/>
Amount overpaid	15 82
	<hr/>
	<hr/>

Total amount of certificates surrendered, viz :

Under treaty of 1857, certificates dated August 29, 1862, principal.....	\$19, 697 18
Interest.....	2, 514 06
Improvement certificates, dated February 20, 1863, and August 5, 1863, principal.....	27, 533 48
Interest.....	1, 438 27
	<u>50, 982 99</u>

Whole amount of certificates issued Aug. 29, '62.. \$39, 824 56

Principal redeemed 19, 697 18

Balance outstanding..... \$20, 127 38

Whole amount of certificates issued February 20

and August 5, 1863..... 42, 901 03

Principal redeemed..... 27, 533 48

Balance outstanding..... 15, 367 55

Whole amount of Stevens's scrip issued August 22, 1862..... 85, 416 85

Total amount of outstanding certificates..... 120, 911 78

Respectfully submitted.

F. PRICE.

Hon. D. N. COOLEY,

Commissioner of Indian Affairs.

No. 192 C. *Indian trust lands.—Winnebago land account, &c.*

The condition of the trust land account of the Winnebago Indians is as follows, viz :

Total amount of trust land offered for sale.....	140, 776.84
Total amount sold.....	98, 189.20

Amount unsold.....	<u>42, 587.64</u>
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Total amount of sales.....	<u>\$283, 033 34</u>
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Cash received.....	\$120, 532 92
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Certificates received.....	162, 500 42
----------------------------	-------------

<u>283, 033 34</u>

Amount of certificates redeemed in cash.....	\$116, 283 04
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Amount of certificates surrendered for land.....	162, 500 42
--	-------------

Whole amount of certificates redeemed.....	278, 783 46
--	-------------

Cash in bank to balance.....	4, 249 88
------------------------------	-----------

<u>283, 033 34</u>

Total amount of certificates issued.....	\$278,361 77
Total amount of certificates redeemed, (principal).....	250,480 15
	<hr/>
Balance outstanding.....	27,881 62
	<hr/>
The General Land Office has sold (acres).....	32,148.04
And received in cash.....	\$82,146 14
	<hr/>

No. 192 D. *Indian trust lands.—Sac and Fox of Missouri, and Iowas of Kansas.*

The account of the trust lands of the above-named tribes is as follows :

Number of acres offered for sale.....	32,098
Number of acres sold.....	21,225
	<hr/>
Number of acres unsold.....	10,873
	<hr/>
Amount received in sales.....	\$33,057 50
Expenses surveying bridges, &c.....	\$5,740 91
Amount invested by Secretary Usher.....	14,000 00
	<hr/>
	19,740 91
	<hr/>
	13,316 59
Surplus unpaid by Secretary Usher.....	46 90
	<hr/>
Balance on deposit in United States treasury.....	13,363 49
	<hr/>

No. 193.

INDIAN TRUST FUNDS.

No. 1.—List of names of Indian tribes for whom stock is held in trust by the Secretary of the Interior, showing the amount standing to the credit of each tribe, the annual interest, the date of the treaty or law under which the investment was made, and the amount of abstracted bonds for which Congress has made no appropriation, and the annual interest upon the same.

Tribe.	Treaty.	Am't of stock.	Amount of interest.	Am't of abstracted bonds.	In't on abstracted bonds.
Cherokee national fund.....	Dec. 29, 1835	\$450,200 00	\$24,892 00	\$68,000	\$4,080
Cherokee orphan fund.....	Dec. 29, 1835	45,000 00	2,700 00	.....	.....
Cherokee school fund.....	Feb. 27, 1819	215,000 00	12,608 00	15,000	900
Chickasaw incompetents.....	Dec. 27, 1835	215,000 00	12,608 00	15,000	900
Chippewa and Christian Indians.....	May 24, 1834	2,000 00	100 00	.....	.....
Creek orphans.....	July 16, 1859	30,300 00	1,905 10	.....	.....
Choctaw general fund.....	Mar. 24, 1832	218,800 00	12,778 00	.....	.....
Choctaw school fund.....	Jan. 17, 1837	454,000 00	27,240 00	.....	.....
Delaware general fund.....	Sept. 27, 1830	121,000 00	7,260 00	.....	.....
Delaware school fund.....	May 6, 1854	694,042 15	42,232 53	.....	.....
Iowas.....	Sept. 24, 1829	11,000 00	660 00	.....	.....
Kansas schools.....	May 17, 1854	92,100 00	6,013 00	.....	.....
Kaskaskias, Peorias, &c.....	June 3, 1825	28,100 00	1,596 00	.....	.....
Menomonees.....	May 30, 1854	142,700 00	9,305 40	.....	.....
Osages, (schools).....	Sept. 3, 1836	162,000 00	8,760 00	.....	.....
Ottawas and Chippewas.....	June 2, 1825	41,000 00	2,460 00	.....	.....
Pottawatomies, (education).....	Mar. 28, 1836	22,300 00	1,328 00	.....	.....
Pottawatomies, (mills).....	Sept. 26, 1833	166,100 00	9,296 00	† 1,000	50
Senecas*.....	Sept. 26, 1833	50,100 00	3,006 00	.....	.....
Senecas and Shawnees*.....	June 14, 1836	5,000 00	250 00	.....	.....
Stockbridges and Munsees.....	Jan. 9, 1837	16,400 00	889 00	.....	.....
Sacs and Foxes of Missouri.....	June 14, 1836	6,000 00	360 00	.....	.....
Tonawanda band of Senecas.....	Jan. 9, 1837	7,000 00	511 00	.....	.....
Total.....	Mar. 26, 1863	86,950 00	5,217 00	.....	.....
	Nov. 5, 1857				
		3,067,092 15	181,367 03	84,000	5,030

* Acts of Congress.

† Bonds of the State of Indiana in the hands of Hon. G. N. Fitch.

Indian trust funds.—Continued.

No. 2.—Statement of stock account, exhibiting in detail the securities in which the funds of each tribe are invested and now on hand; the annual interest on the same; the amount of abstracted bonds not provided for by Congress, and the annual interest upon the same.

Stock.	Per cent.	Total.	Am't abstracted.	Am't on hand.	Annual interest.
CHEROKEE NATIONAL FUND.					
State of Florida.....	7	\$7,000	-----	\$7,000	\$490
Georgia.....	6	1,500	-----	1,500	90
Kentucky.....	5	94,000	-----	94,000	4,700
Louisiana.....	6	7,000	-----	7,000	420
Missouri.....	6	50,000	\$50,000	-----	-----
North Carolina.....	6	20,000	13,000	7,000	420
South Carolina.....	6	117,000	-----	117,000	7,020
Tennessee.....	6	5,000	5,000	-----	-----
Tennessee.....	5	125,000	-----	125,000	6,250
Virginia.....	6	90,000	-----	90,000	5,400
United States loan of 1862.....	6	1,700	-----	1,700	102
		518,200	68,000	450,200	24,892
CHEROKEE ORPHAN FUND.					
State of Virginia.....	6	-----	-----	45,000	2,700
CHEROKEE SCHOOL FUND.					
State of Florida.....	7	7,000	-----	7,000	490
Louisiana.....	6	2,000	-----	2,000	120
Missouri.....	5½	10,000	-----	10,000	550
Missouri.....	6	5,000	-----	5,000	300
North Carolina.....	6	210,000	8,000	13,000	780
South Carolina.....	6	1,000	-----	1,000	60
Tennessee.....	6	7,000	7,000	-----	-----
Virginia.....	6	135,000	-----	135,000	8,100
United States loan of 1862.....	6	10,800	-----	10,800	648
United States loan, 10-40s.....	5	31,200	-----	31,200	1,560
		230,000	15,000	215,000	12,608
CHICKASAW INCOMPETENTS.					
State of Indiana.....	5	-----	-----	2,000	100
CHIPPEWA AND CHRISTIAN INDIANS.					
State of Missouri.....	6	-----	-----	5,000	300
United States loan of 1862.....	6	-----	-----	600	36
United States loan of 7-30s.....	7½	-----	-----	6,700	489
United States certificates.....	6	-----	-----	18,000	1,080
		-----	-----	30,300	1,905

Indian trust funds—Continued.

Stock.	Per cent.	Amount of bonds.	Annual interest.
CHOCTAW GENERAL FUND.			
State of Missouri.....	6	\$2,000 00	\$120 00
Virginia.....	6	450,000 00	27,000 00
United States loan of 1862.....	6	2,000 00	120 00
		<u>454,000 00</u>	<u>27,240 00</u>
CHOCTAW SCHOOL FUND.			
State of Virginia.....	6	19,000 00	1,140 00
United States loan of 1862.....	6	102,000 00	6,120 00
		<u>121,000 00</u>	<u>7,260 00</u>
CREEK ORPHANS.			
State of Kentucky.....	5	1,000 00	50 00
Missouri.....	5½	28,000 00	1,540 00
Missouri.....	6	28,000 00	1,680 00
Tennessee.....	5	20,000 00	1,000 00
Virginia.....	6	73,800 00	4,428 00
United States loan of 1862.....	6	68,000 00	4,080 00
		<u>218,800 00</u>	<u>12,778 00</u>
DELAWARE GENERAL FUND.			
State of Florida.....	7	59,000 00	4,130 00
Georgia.....	6	2,000 00	120 00
Louisiana.....	6	4,000 00	240 00
Missouri.....	6	10,000 00	600 00
North Carolina.....	6	121,000 00	7,260 00
South Carolina.....	6	1,000 00	60 00
United States loan of 1862.....	6	210,300 00	12,618 00
Leavenworth, Pawnee & Western R. R. Co.	6	286,742 15	17,204 53
		<u>694,042 15</u>	<u>42,232 53</u>
DELAWARE SCHOOL FUND.			
United States loan of 1862.....	6	11,000 00	660 00

Indian trust funds—Continued.

Stock.	Per cent.	Amount of bonds.	Annual interest.
IOWAS.			
State of Florida.....	7	\$22,000 00	\$1,540 00
Kansas.....	7	17,600 00	1,232 00
Louisiana.....	6	9,000 00	540 00
North Carolina.....	6	21,000 00	1,260 00
South Carolina.....	6	3,000 00	180 00
United States loan of 1862.....	6	12,500 00	750 00
United States 7-30s.....	7 $\frac{3}{16}$	7,000 00	511 00
		92,100 00	6,013 00
KANSAS SCHOOLS.			
State of Missouri.....	5 $\frac{1}{2}$	18,000 00	990 00
Missouri.....	6	2,000 00	120 00
United States loan of 1862.....	6	8,100 00	486 00
		28,100 00	1,596 00
KASKASKIAS, PEORIAS, WEAS, AND PIANKE-SHAWS.			
State of Florida.....	7	37,000 00	2,590 00
Kansas.....	7	28,500 00	1,995 00
Louisiana.....	6	15,000 00	900 00
North Carolina.....	6	43,000 00	2,580 00
South Carolina.....	6	3,000 00	180 00
United States loan of 1862.....	6	9,400 00	564 00
United States 7-30s.....	7 $\frac{3}{16}$	6,800 00	496 40
		142,700 00	9,305 40
MENOMONEES.			
State of Kentucky.....	5	77,000 00	3,850 00
Missouri.....	6	9,000 00	540 00
Tennessee.....	5	19,000 00	950 00
United States loan of 1862.....	6	57,000 00	3,420 00
		162,000 00	8,760 00
OSAGE SCHOOLS.			
State of Missouri.....	6	7,000 00	420 00
United States loan of 1862.....	6	34,000 00	2,040 00
		41,000 00	2,460 00

Indian trust funds—Continued.

Stock.	Per cent.	Amount of bonds.	Annual interest.
OTTAWAS AND CHIPPEWAS.			
State of Missouri.....	6	\$10,000 00	\$600 00
Tennessee.....	5	1,000 00	50 00
Virginia.....	6	3,000 00	180 00
United States loan of 1862.....	6	8,300 00	498 00
		<u>22,300 00</u>	<u>1,328 00</u>
POTTAWATOMIES, (EDUCATION.)			
State of Indiana.....	5	67,000 00	*3,350 00
Missouri.....	6	5,000 00	300 00
United States loan of 1862.....	6	94,100 00	5,646 00
		<u>166,100 00</u>	<u>9,296 00</u>
POTTAWATOMIES, (MILLS.)			
United States loan of 1862.....	6	50,100 00	3,006 00
SENECAS.			
State of Kentucky.....	5	5,000 00	250 00
SENECAS AND SHAWNEES.			
State of Kentucky.....	5	6,000 00	300 00
Missouri.....	5½	7,000 00	385 00
Missouri.....	6	3,000 00	180 00
United States loan of 1862.....	6	400 00	24 00
		<u>16,400 00</u>	<u>889 00</u>
STOCKBRIDGES AND MUNSEES.			
United States loan of 1862.....	6	6,000 00	360 00
SACS AND FOXES OF MISSOURI.			
United States 7-30s.....	7½	7,000 00	511 00
TONAWANDA BAND OF SENECAS.			
United States loan of 1862.....	6	86,950 00	5,217 00

* One bond of \$1,000 in hands of Hon. G. N. Fitch.

No. 3.—Statement of stocks held by the Secretary in trust for various Indian tribes, showing the amount now on hand; also, the amount of abstracted bonds for which Congress has made no appropriation.

Stock.	Per cent.	Amount.	Amount abstracted.
Florida.....	7	\$132,000 00	.....
Georgia.....	6	3,500 00	.....
Indiana.....	5	69,000 00	\$1,000 00
Kansas.....	7	46,100 00	.....
Kentucky.....	5	183,000 00	.....
Louisiana.....	6	37,000 00	.....
Missouri.....	5½	63,000 00	.....
Missouri.....	6	105,000 00	50,000 00
North Carolina.....	6	205,000 00	21,000 00
South Carolina.....	6	125,000 00	.....
Tennessee.....	6	.....	12,000 00
Tennessee.....	5	165,000 00	.....
Virginia.....	6	796,800 00	.....
Leavenworth, Pawnee & Western R. R. Co.	6	286,742 15	.....
United States loan of 1862.....	6	773,250 00	.....
United States 10-40s.....	5	31,200 00	.....
United States 7-30s.....	7 ³ / ₁₀	27,500 00	.....
United States certificates.....	6	18,000 00	.....
		3,067,092 15	84,000 00

No. 194.

Statement showing the present liabilities of the United States to Indian tribes under stipulations of treaties, &c.

Names of tribes.	Description of annuities, stipulations, &c.	Reference to Laws, Statutes at Large.	Number of instalments yet unappropriated, explanations, remarks, &c.	Annual amount necessary to meet stipulations, indefinite as to time, now allowed, but liable to be discontinued.	Aggregate of future appropriations that will be required during a limited number of years to pay limited annuities till they expire; and to effect the payment of a permanent character.	Amount of annual liabilities of a permanent character.	Amount held in trust by the United States on which five per cent. is annually paid; and amounts which, invested at five per cent., would produce permanent annuities.
Chippewas of Lake Superior.	For money, goods, support of schools, provisions, two carpenters, and tobacco; compare 4th article treaty October 4, 1842, and 8th article treaty September 30, 1854.	Vol. 7, page 592, and Vol. 10, page 1111.	Twenty-five instalments; one yet to be appropriated.	.....	\$9,510 06	.....	.....
Do.....	Twenty instalments in coin, goods, implements, &c., and for education; 4th article treaty September 30, 1854.	Vol. 10, page 1111.	Twenty instalments, at \$19,000 each; nine yet unappropriated.	.....	171,000 00	.....	.....
Do.....	Twenty instalments for six months and assistance, and for iron and steel; 9th and 5th articles treaty September 30, 1854.	Vol. 10, page 1109, and Vol. 10, page 1111.	Twenty instalments, at \$6,300 each; nine yet unappropriated.	.....	56,700 00	.....	.....
Do.....	Twenty instalments for the seventh smith, &c.	Vol. 10, page 1111.	Twenty instalments, estimated at \$1,000 each; eleven yet unappropriated.	.....	11,680 00	.....	.....
Do.....	For support of a smith, assistant, and shop, and pay of two farmers during the pleasure of the President; 12th article treaty.	Vol. 10, page 1112.	Estimated at \$2,500 per annum.	\$2,500 00	.....	.....	.....
Chippewas of the Mississippi.	Money, goods, support of schools, provisions, and tobacco; compare 4th article treaty October 4, 1842, and 8th article treaty September 30, 1854.	Vol. 7, page 592, and Vol. 10, page 1111.	Twenty-five instalments; one unexpended.	.....	9,000 00	.....	.....
Do.....	Two farmers, two carpenters, and smiths and assistants, iron and steel; 4th article treaty October 4, 1842, and September 30, 1854.	Vol. 7, page 592, and Vol. 10, page 1111.	Twenty-five instalments; two unexpended; one-third payable to these Indians, \$406 66, for two years.	.....	1,400 00	.....	.....
Do.....	Twenty instalments in money of \$20,000 each.	Vol. 10, page 1107.	Third article treaty February 22, 1855; nine unexpended.	.....	180,000 00	.....	.....
Chippewas, Pillegrims, and Lake Winnebagoes.	Money \$10,000 00; goods, \$3,000; and purchase of utility, \$4,000; 3d article treaty February 22, 1855.	Vol. 10, page 1108.	Thirty instalments; nineteen unappropriated.	.....	430,066 73	.....	.....

Do.....	For purposes of education; same article and treaty.	Vol. 10, page 1168.	Twenty instalments, of \$3,000 each; nine unexpended.	27,000 00		
Do.....	For support of smiths' shops; same article and treaty.	.....do.....	Fifteen instalments, estimated at \$2,120 each; four unappropriated.	8,460 00		
Chickasaws.	Permanent annuity in goods.	Vol. 1, page 619.	Act of February 28, 1790, \$3,000 per year.	3,000 00		\$60,000 00
Chippewas, Menomonees, Winnebagoes, and New York Indians.	Education during the pleasure of Congress.	Vol. 7, page 304.	5th article treaty August 11, 1827.	1,500 00		
Chippewas of Saginaw, Swan creek, and Black river.	Ten instalments in coin of \$18,800 each.	Vol. 7, page 634.	Two instalments yet to be appropriated.	37,600 00		
Choctaws.	Permanent annuities.	Vol. 7, pages 99, 213, and 236.	2d article treaty November 16, 1803, \$3,000; 13th article treaty October 12, 1820, \$600; 2d article treaty Jan. 20, 1823, \$4,000.	9,600 00		192,000 00
Do.....	Provisions for smith, &c.	Vol. 7, page 212.	6th article treaty October 16, 1820, and 10th article treaty January 30, 1823, say \$920.	920 00		18,400 00
Do.....	Interest on \$200,000; articles 10th and 13th treaty January 22, 1835.	Vol. 11, pages 613 and 614.	Five per cent. for educational purposes.	25,000 00		500,000 00
Creeks.	Permanent annuities.	Vol. 7, pages 36, 68, and 287.	5th article treaty August, 1790, \$1,500; 3d article treaty June 16, 1802, \$5,000; 1820, \$30,000.	24,500 00		480,000 00
Do.....	Smith's shops, &c.	Vol. 7, page 287.	8th article treaty January 24, 1826, say \$1,110.	1,110 00		22,200 00
Do.....	Wheelwright, permanent.	Vol. 7, page 287.	8th article treaty Jan. 1826, \$600.	600 00		12,000 00
Do.....	Allowance during the pleasure of the President.	Vol. 7, pages 287 and 419.	5th article treaty February 14, 1823, and 8th article treaty January 24, 1826.	4,710 00		
Do.....	Interest on \$200,000 held in trust; 6th article treaty August 7, 1856.	Vol. 11, pages 701 and 702.	Five per centum for education.	10,000 00		200,000 00
Delawares.	Life annuities, &c., two chiefs.	Vol. 7, page 399.	Treaties of 1818, 1829, and 1832.	200 00		
Do.....	Interest on \$40,080, at 5 per centum.	Vol. 7, page 327.	Resolution of Senate Jan. 19, 1832.	2,304 00		46,080 00
Seminoles, Florida Indians.	Ten instalments for support of schools; 8th article treaty August 7, 1836.	Vol. 11, page 702.	Two payments of \$3,000 each.	6,000 00		
Do.....	Ten instalments for agricultural assistance; same article and treaty.	.....do.....	Two payments of \$2,000.	4,000 00		
Do.....	Ten instalments for support of smiths and shops; same article and treaty.	.....do.....	Two payments of \$2,300.	4,600 00		
Iowas.	Interest on \$200,000, per 2d article treaty August 7, 1856.	.....do.....	\$25,000 annuities.	25,000 00		500,000 00
Do.....	Interest on \$57,000, being the balance of \$157,000.	Vol. 7, page 568, and vol. 10, page 1071.	2d article treaty October 19, 1838, and 9th article treaty May 17, 1854.	2,850 00		57,000 00
Kansas.	Interest on \$200,000.	Vol. 9, page 642.	2d article treaty Jan. 14, 1846.	10,000 00		200,000 00
Kikapoes.	Interest on \$100,000.	Vol. 10, page 1079.	2d article treaty May 18, 1854.	5,000 00		100,000 00
Do.....	Gradual payment on \$200,000.	.....do.....	2d article treaty May 18, 1854; \$152,000 heretofore appropriated; due.	48,000 00		

No. 194.—Statement showing the present liabilities of the United States to Indian tribes, &c.—Continued.

Names of tribes.	Description of annuities, stipulations, &c.	Reference to laws; Statutes at Large.	Number of installments yet unappropriated, explanations, remarks, &c.	Annual amount necessary to meet stipulations, indefinite as to time, now allowed, but liable to be discontinued.	Aggregate of future appropriations that will be required during a limited number of years till they expire, and to effect the payment.	Amount of annual liabilities of a permanent character.	Amount held in trust by the United States on which five per cent. is annually paid; and amounts which, invested at five per cent., would produce permanent annuities.
Menomonees.....	Pay of miller for fifteen years.....	Vol. 9, page 953 and vol. 10, page 1065.	3d article treaty May 12, 1854, \$20,000; \$6,000 heretofore appropriated, due.		\$3,000 00		
Do.....	Support of smith's shop twelve years.....	do.....	Two installments of \$916 66 unappropriated.		1,833 32		
Do.....	Fifteen equal installments to pay \$242,686, to commence in 1867.	Vol. 10, page 1065.	4th article treaty May 12, 1854, and Senate's amendment thereto.		242,686 00		
Miamies.....	Permanent provision for smith's shop, &c., and miller.	Vol. 7, pages 191 and 464, and vol. 10, page 1065.	5th article treaty Oct. 6, 1818; 5th article treaty Oct. 24, 1834; and 4th article treaty June 5, 1854, say \$240 for shop and \$240 for miller.			\$1,540 00	\$30,800 00
Do.....	Twenty installments upon \$300,000.....	Vol. 10, page 1094.	\$120,000 of said sum payable in twenty installments of \$7,500 each; fourteen of each unappropriated.		105,000 00		
Do.....	Interest on \$50,000, at 5 per centum.....	do.....	3d article treaty June 5, 1854; Senate's amendment.			2,500 00	50,000 00
Do.....	Interest on \$221,257 86, in trust.....	Vol. 10, page 1099.	4th article treaty of 1854			11,062 89	221,257 86
Eel River Miamies..	Permanent annuities.....	Vol. 7, pages 51, 91, and 114.	4th article treaty 1795; 3d article treaty 1809; and 3d article treaty Sept. 1849, aggregate.			1,100 00	22,000 00
Navajo Indians.....	Presents to Indians.	Vol. 9, page 975.	10th article treaty Sept. 9, 1849.	\$3,000 00	8,850 00		
Niaqually, Puyallup, and other tribes and bands of Indians.	For payment of \$32,500 in graduated payments.	Vol. 10, page 1133.	10th article treaty Dec. 26, 1854, still unappropriated.				
Do.....	Pay of instructor, smith, physician, carpenter, &c., twenty years.	Vol. 10, page 1134.	4th article treaty Dec. 26, 1854, estimated at \$6,700 per year, nine installments yet to be appropriated.		60,300 00		

Omahas	Forty instalments, graduated, \$40,000, extending for forty years.	Vol. 10, page 1044.	Eleven instalments paid, (see 4th article treaty March 16, 1831.) to be appropriated.	480,000 00	.....
Ojibwas and Missourias.	Forty instalments, graduated, (\$385,000.) extending through forty years.	Vol. 10, page 1039.	4th article treaty March 15, 1834. eleven instalments paid, to be appropriated hereafter.	221,000 00	.....
Ongas.	Interest on \$40,120, at 5 per cent; pamphlet only 1st session 36th Congress.	Vol. 12, page 51.	For educational purpose, Senate resolution Jan. 19, 1838.	3,456 00	69,120 00
Ottawas of Kansas.	Permanent annuities, their proportion of.	Vol. 7, pages 54, 106, 170, 220.	4th article treaty August 13, 1793; 4th article 4th article treaty September 17, 1818; 4th article treaty August 28, 1821; and 2d article treaty Nov. 17, 1827.	2,600 00	52,000 00
Ottawas and Chippewas of Michigan.	Interest on \$240,000, at 5 per cent.	Vol. 7, page 497.	Resolution of Senate, May 19, 1838, per year.	12,000 00	240,000 00
Do.	Education, \$5,000; missions, \$3,000; medical, \$300, during the pleasure of Congress.	Vol. 7, page 492.	See 4th article treaty March 28, 1838.	8,300 00	.....
Do.	Three blacksmiths, &c.; one gunsmith, &c.; two farmers and assistants, during the pleasure of the President.	Vol. 7, page 493.	See 7th article treaty March 28, 1838; annually allowed since the expiration of the number of years named in treaty. Aggregate \$6,440.	6,440 00	.....
Do.	\$206,000 to be paid after ten years, in not less than four annual instalments.	Vol. 11, page 624.	Treaty July 31, 1855.	206,000 00	.....
Pawnees.	Interest on \$208,000 at 5 per centum.	Vol. 7, page 488.	See 4th article treaty Oct. 9, 1853.	1,000 00	10,300 00
Do.	Agricultural implements during the pleasure of the President.	Vol. 11, page 729.	See 2d article treaty September 24, 1857; first payment of annuities of a permanent character, being the second series.	.....	30,000 00
Do.	Five instalments in goods and such articles as may be necessary for them.	.....do.	3d article treaty; annually, during the pleasure of the President.	10,000 00	.....
Do.	For the support of two manual labor schools.	.....do.	See 3d article treaty Sept. 24, 1857; annual appropriations required.	1,200 00	.....
Do.	For pay of two teachers.	.....do.	4th article treaty; annual appropriation.	500 00	.....
Do.	For purchase of iron and steel and other necessaries for same during the pleasure of the President.	.....do.	4th article treaty; appropriation required.	1,200 00	.....
Do.	For pay of two blacksmiths, one of whom to be a gunsmith and himself.	.....do.	4th article treaty; annual appropriation required.	480 00	.....
Do.	For compensation of two strikers and apprentices.	.....do.	4th article treaty; two appropriations remaining unpaid at the pleasure of the President.	.....	.....
Do.	Ten instalments for farming utensils and stock.	.....do.	4th article treaty; annual appropriation required.	2,400 00	.....
Do.	For pay of farmer.	.....do.	4th article treaty; two appropriations remaining at the discretion of the President.	600 00	.....
Do.	Ten instalments for pay of miller.	.....do.	.....	1,440 00	.....

No. 194.—Statement showing the present liabilities of the United States to Indian tribes, &c.—Continued.

Names of tribes.	Description of annuities, stipulations, &c.	Reference to laws; Statutes at Large.	Number of instalments yet unappropriated, explanations, remarks, &c.	Annual amount necessary to meet stipulations, indefinite as to time, now allowed, but liable to be discontinued.	Aggregate of future appropriations that will be required during a limited number of years to pay limited annuities till they expire; annuities incidentally necessary to effect the payment.	Amount of annual liabilities of a permanent character.	Amount held in trust by the United States on which five per cent. is annually paid; and annuities which, invested at five per cent., would produce permanent annuities.
Pawnees	Ten instalments for pay of an engineer.		Two appropriations yet required at the discretion of the President.		\$2,400 00		
Do	For compensation to apprentices to assist in working the mill.		4th article treaty; annual appropriation required.	\$500 00			
Pottawatamies	Permanent annuity in money	Vol. 7, pages 51, 114, 183, 317, 323, and vol. 9, page 855.	4th art. treaty 1795; \$1,000; 3d art. treaty 1826; \$400; 3d art. treaty 1837; \$2,500; 2d art. treaty 1838; \$2,000; 3d art. treaty July 1829, \$1,600; 10th article treaty June, 1846, \$300.			\$22,300 00	\$446,000 00
Do	Life annuities to surviving chiefs.	Vol. 7, pages 379 and 433.	3d article treaty Oct. 16, 1829; \$200; 3d art. treaty Sept. 26, 1833, \$700.	900 00			
Do	Education during the pleasure of Congress.	Vol. 7, pages 296, 318, 401.	3d art. treaty Oct. 16, 1826; 2d art. treaty Sept. 20, 1826; and 4th art. treaty Oct. 27, 1833, \$5,000.	5,000 00			
Do	Permanent provision for three smiths.	Vol. 7, pages 318, 296, 321.	2d art. treaty Sept. 20, 1826; 3d art. treaty Oct. 16, 1826; 2d article treaty July 29, 1829; three shops, at \$40 each per year, \$2,820.			3,850 00	56,400 00
Do	Permanent provision for furnishing salt.	Vol. 7, pages 75, 296, 320.	3d art. treaty 1807; 3d art. treaty Oct. 1826, and 2d article treaty July 29, 1829; estimated \$500.			500 00	10,000 00
Do	Interest on \$643,000, at 5 per cent.	Vol. 9, page 854.	7th article treaty June, 1846; annual interest, \$32,150.			32,150 00	643,000 00
Pottawatamies of Huron.	Permanent annuities.	Vol. 7, page 106.	2d article treaty November 17, 1807, \$400.			400 00	8,000 00

Quapaws.....	Provision for education, \$1,000 per year, and for smith and farmer and smith's shop during the pleasure of the President.	Vol. 7, page 425.....	3d art. treaty May 13, 1838; \$1,000 per year for education, and \$1,660 for smith, farmer, &c., &c., 1853, four instalments unappropriated.	2, 660 00		
Rogue River.....	Sixteen instalments of \$2,500 each.....	Vol. 10, page 1019.....	3d article treaty September 10, 1853, four instalments unappropriated.	10, 000 00		
Chasta Sooton, and Umpqua Indians.	\$2,000 annually for fifteen years.....	Vol. 10, page 1122.....	3d article treaty November 18, 1854, four instalments yet to be appropriated.	8, 000 00		
Do.....	Support of schools and farmer fifteen years.....	Vol. 10, page 1122.....	Same treaty, 5th article, estimated for schools, \$1,300; farmers, \$1,000; four appropriations due, 2d article treaty October 21, 1837.	8, 800 00		
Sacs and Foxes of Missouri.	Interest on \$157,400.....	Vol. 10, page 544.....		7, 870 00	157, 400 00	
Sacs and Foxes of Mississippi.	Permanent annuities.....	Vol. 7, page 85.....	3d article treaty November, 1804.	1, 000	20, 000	
Do.....	Interest on \$300,000, at 5 per cent.....	Vol. 7, page 541.....	2d article treaty October, 1837.		10, 000 00	300, 000 00
Do.....	Interest on \$300,000, at 5 per cent.....	Vol. 7, page 596.....	2d article treaty October 11, 1842.		40, 000 00	800, 000 00
Senecas.....	Permanent annuities.....	Vol. 7, pages 161 and 179.	4th article treaty September 29, 1817, \$500; 4th article treaty September 17, 1817, \$500.		1, 000 00	20, 000 00
Do.....	Provision for smith and smith's shops and miller during the pleasure of the President.	Vol. 7, page 349.....	4th article treaty February 28, 1831, say \$1,660.	1, 660 00		
Senecas of New York.	Permanent annuity.....	Vol. 4, page 442.....	Act February 19, 1831, \$6,000 00			
Do.....	Interest on \$75,000.....	Vol. 9, page 35.....	Act June 27, 1846..... 3,750 00			
Do.....	Interest on \$43,050, transferred from the Ontario Bank to the treasury of the United States.	do.....	Act June 27, 1846..... 2,152 50		11, 902 50	238, 050 00
Senecas and Shawnee.	Permanent annuity.....	Vol. 7, page 179.....	4th article treaty September 17, 1818.		1, 000 00	20, 000 00
Do.....	Provisions for support of smiths and smith's shops during the pleasure of the President.	Vol. 7, page 352.....	4th article treaty July 20, 1831.	1, 060 00		
Shawnees.....	Permanent annuities for education.....	Vol. 7, pages 51 and 161, and vol. 10, page 1063.	4th article treaty August 3, 1795; 4th article treaty September 29, 1817, and 3d article treaty May 10, 1854.	5, 000 00		100, 000 00
Do.....	Interest on \$40,000.....	Vol. 10, page 1063.....	3d article treaty May 10, 1854.		2, 000 00	40, 000 00
Six Nations of New York.	Permanent annuities in clothing, &c.....	Vol. 7, page 46.....	6th article treaty November 11, 1794, \$4,500.	4, 500 00		90, 000 00
Stonox of the Mississipp.	All treaties with these Indians were abrogated by act of Congress of February 16, 1863, page 632, vol. 12, Stat. at Large.					

No. 194.—Statement showing the present liabilities of the United States to Indian tribes, &c.—Continued.

Names of tribes.	Description of annuities, stipulations, &c.	Reference to laws, Statutes at Large.	Number of instalments yet unap- propriated, explanations, re- marks, &c.	Annual amount necessary to meet stipulations, indefinite as to time, now allowed, but liable to be discontinued.	Aggregate of future appropri- ations that will be required during a limited number of years to pay limited annu- ties till they expire; and to effect the payment.	Amount of annual liabilities of a permanent character.	Amount held in trust by the United States on which five per cent. is annually paid; and amounts which, in- vested at five per cent., would produce the permit- tent annuities.
Umpqua, C o w Creek band. Umpqua Calapoo- ias, Oregon.	Twenty instalments of \$550 each..... Twenty instalments; payment graduated.....	Vol. 10, page 1028..... Vol. 10, page 1196.....	3d article treaty Sept. 19, 1853, eight instalments yet due. 3d article treaty Nov. 20, 1854, nine instalments to be appropri- ated under the direction of the President; graduated payments; third series.		\$4,400 00..... 11,800 00.....		
Do.....	Support of teachers, &c., twenty years.....	Vol. 10, page 1127.....	6th article treaty; estimated at \$1,450 per year; nine instal- ments yet to be appropriated.		13,450 00.....		
Do.....	Support of physician fifteen years.....	Vol. 10, page 1127.....	6th article treaty; estimated at \$2,000 per year; four instal- ments yet to be appropriated.		8,000 00.....		
Willamette Valley bands.	Twenty instalments, graduated payments.....	Vol. 10, page 1144.....	3d article treaty January 22, 1855, nine instalments yet to be ap- propriated under the direction of the President.		53,500 00.....		
Winnebagoes..... Do.....	Interest on \$1,000,000..... Thirty instalments of interest on \$85,000.....	Vol. 7, page 546..... Vol. 9, page 879.....	4th article treaty November 1857 4th article treaty October 13, 1856, \$4,350 provided for; instalments to be provided for.		46,750 00.....	\$50,000 00	\$1,000,000 00
Poncas..... Do.....	Ten instalments for manual labor school..... Ten instalments during the pleasure of the President for aid in agricultural and mechan- ical pursuits.	Vol. 12, page 998..... Vol. 12, page 998.....	4th article treaty March 19, 1858, four instalments of \$5,000 each to be provided for.		20,000 00.....		
Dwamish and other allied tribes in Washington Ter- ritory.	For \$150,000 in graduated payments under the direction of the President in twenty instal- ments.	Vol. 12, page 928.....	5th article treaty March 19, 1858, four instalments of \$7,500 each to be provided for.		30,000 00.....		
			6th article treaty January 22, 1855, fourteen instalments yet to be provided for.		81,000 00.....		

Do	Twenty instalments for an agricultural school and teacher.	Vol. 12, page 929...	14th article treaty Jan. 22, 1855, fourteen instalments yet to be provided for, estimated at \$1,000 a year.	42,000 00	.....
Do	Twenty instalments for smith and carpenter shop and tools.	Vol. 12, page 929...	14th article treaty Jan. 22, 1855, fourteen instalments unappropriated, estimated at \$500 per year.	7,000 00	.....
Do	Twenty instalments for blacksmiths, carpenter, farmer, and physician.	Vol. 12, page 929...	14th article treaty Jan. 22, 1855, fourteen instalments unappropriated, estimated at \$4,000 each year.	64,400 00	.....
Makah tribe.....	For beneficial objects \$30,000 under the direction of the President.	Vol. 12, page 940...	5th article treaty Jan. 31, 1855, fourteen instalments unappropriated in graduated payments, 14th article treaty Jan. 31, 1855, 14 instalments unappropriated, estimated at \$2,240 per year.	16,000 00	.....
Do	Twenty instalments for an agricultural and industrial school and teachers.	Vol. 12, page 941...	11th article treaty Jan. 31, 1855, fourteen instalments unappropriated, estimated at \$500 each year.	35,000 00	.....
Do	Twenty instalments for smith, carpenter shop, and tools.	Vol. 12, page 941...	11th article treaty Jan. 31, 1855, fourteen instalments unappropriated, estimated at \$500 each year.	7,000 00	.....
Do	Twenty instalments for blacksmith, carpenter, farmer, and physician.	Vol. 12, page 941...	11th article treaty Jan. 31, 1855, fourteen instalments unappropriated, estimated amount necessary each year, \$4,000.	64,400 00	.....
Walla-Walla, Cayuse, and Umatilla tribes.	For beneficial objects, \$100,000 to be expended under the direction of the President.	Vol. 12, page 946...	2d article treaty June 9, 1855, fourteen instalments in graduated payments unappropriated.	54,000 00	.....
Do	For two millers, one farmer, one superintendent of farming operations, two school-teachers, one blacksmith, one wagon and plough maker, and one carpenter and joiner.	Vol. 12, page 947...	4th article treaty June 9, 1855, fourteen instalments to be provided for, estimated at \$11,200 each year.	156,900 00	.....
Do	Twenty instalments for mill fixtures, tools, medicines, books, stationery, furniture, &c.	do	4th article treaty June 9, 1855, fourteen instalments of \$3,000 each, unappropriated.	42,000 00	.....
Do	Twenty instalments of \$500 for each of the head chiefs of these bands.	do	5th article treaty June 9, 1855, fourteen instalments yet due.	21,000 00	.....
Do	Pio-Mox-Mox.	do	5th article treaty June 9, 1855, fourteen instalments of \$100 each, yet due.	1,400 00	.....
Yakama nation.....	For beneficial objects \$200,000 under direction of the President in twenty-one instalments in graduated payments.	Vol. 12, page 953...	4th article treaty June 9, 1855, fourteen instalments to be provided.	82,000 00	.....
Do	Support of two schools, one of which to be an agricultural and industrial school, keeping them in repair and providing furniture, books, and stationery.	do	5th article treaty June 9, 1855, twenty instalments, fourteen of which are yet to be provided for, at an estimate of \$500 per year.	7,000 00	.....

No. 194.—Statement showing the present liabilities of the United States to Indian tribes, &c.—Continued.

Names of tribes.	Description of annuities, stipulations, &c.	Reference to laws, Statutes at Large.	Number of installments yet unappropriated, explanations, remarks, &c.	Annual amount necessary to meet stipulations, installment as to time, now allowed, but liable to be discontinued.	Aggregate of future appropriations that will be required during a limited number of years to pay limited annuities till they expire, and to effect the payment.	Amount of annual liabilities of a permanent character.	Amount held in trust by the United States on which five per cent. is annually paid; and amounts which, invested at five per cent., would produce the permanent annuities.
Yakama nation.....	For one superintendent of teaching and two teachers, twenty years.	Vol. 12, page 953	5th article treaty June 9, 1855, fourteen installments yet to be appropriated, estimated at \$3,200.	.....	\$44,800 00	.....	.....
Do	For one superintendent of farming and two farmers, two millers, two blacksmiths, one farrier, one gunsmith, one carpenter, and one wagon and plough maker, for twenty years.	do	5th article treaty June 9, 1855, fourteen installments yet to be provided for, estimated at \$9,400.	.....	131,600 00	.....	.....
Do	Twenty installments, keeping in repair grist and saw mill, and furnishing the necessary tools therefor.	do	5th article treaty June 9, 1855, fourteen installments yet to be appropriated, estimated at \$500 each.	.....	7,000 00	.....	.....
Do	Twenty installments for keeping in repair hospital and furnishing medicines, &c.	do	5th article treaty June 9, 1855, fourteen installments yet to be appropriated, estimated at \$300.	.....	4,200 00	.....	.....
Do	Twenty installments for pay of physicians.....	do	5th article treaty June 9, 1855, fourteen installments yet to be appropriated, estimated at \$1,400.	.....	19,600 00	.....	.....
Do	Twenty installments for keeping in repair buildings for employes.	do	5th article treaty June 9, 1855, fourteen installments yet to be appropriated, estimated at \$2,400.	.....	4,200 00	.....	.....
Do	For salary of head chief for twenty years.....	do	5th article treaty June 9, 1855, fourteen installments yet due of \$500 each.	.....	7,000 00	.....	.....
Nes Perces.....	For beneficial objects \$200,000, under the direction of the President, in graduated payments extending for twenty-one years.	Vol. 12, page 938	4th article treaty June 11, 1855, fourteen installments yet to be provided.	.....	82,000 00	.....	.....
Do	For support of two schools, one of which to be an agricultural and industrial school, keeping them in repair and providing furniture, books, and stationery.	Vol. 12, page 939	5th article treaty June 11, 1855, fourteen installments of \$500 each yet to be appropriated.	.....	7,000 00	.....	.....

Do	Twenty instalments for one superintendent of teaching and two teachers.	.....do.....	5th article treaty June 11, 1855; fourteen instalments of \$3,500 each yet unappropriated.	44,800 00	.....
Do	Twenty instalments for one superintendent of farming and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one cooper, and one for plough and reaper maker.	.....do.....	5th article treaty June 11, 1855; fourteen instalments of \$8,400 each to be appropriated.	131,600 00	.....
Do	Twenty instalments for one for plough and reaper maker and saw mill, and providing the necessary tools therefor.	.....do.....	5th article treaty June 11, 1855; fourteen instalments of \$300 each unappropriated per estimate.	7,000 00	.....
Do	Twenty instalments for keeping in repair hospital and furnishing necessary medicines, &c.	.....do.....	5th article treaty June 11, 1855; fourteen instalments of \$300 each yet unappropriated.	4,200 00	.....
Do	Twenty instalments for pay of physician.	.....do.....	5th article treaty June 11, 1855; fourteen instalments estimated at \$1,400 each yet due.	19,600 00	.....
Do	Twenty instalments for keeping in repair buildings for employes.	.....do.....	5th article treaty June 11, 1855; fourteen instalments estimated	4,200 00	.....
Do	Twenty instalments for salary of head chief.	.....do.....	5th article treaty June 11, 1855; at \$300 each yet due.	7,000 00	.....
Flathead and other confederated tribes.	Twenty instalments for beneficial objects, under the direction of the President, \$120,000.	Vol. 12, page 976.	4th article treaty July 16, 1855; thirteen instalments yet to be appropriated in graduated payments.	50,000 00	.....
Do	For the support of an agricultural and industrial school, providing necessary furniture, books, stationery, &c.	Vol. 12, page 977.	5th article treaty July 16, 1855; fourteen instalments estimated at \$300 yet unappropriated.	4,200 00	.....
Do	For employment of suitable instructors therefor.	.....do.....	5th article treaty July 16, 1855; fourteen instalments yet to be appropriated at \$1,400.	19,600 00	.....
Do	For keeping in repair blacksmith shop, one carpenter shop, one wagon and plough maker's shop, and furnishing tools therefor.	.....do.....	5th article treaty July 16, 1855; fourteen instalments yet to be appropriated of \$300.	7,000 00	.....
Do	For two farmers, two millers, one blacksmith, one gunsmith, one tinner, carpenter, and joiner, and wagon and plough maker.	.....do.....	5th article treaty July 16, 1855; fourteen instalments of \$7,400 each yet to be appropriated.	102,600 00	.....
Do	For keeping in repair flouring and saw mill, and supplying the necessary fixtures.	.....do.....	5th article treaty July 16, 1855; fourteen instalments yet to be made estimated at \$500 each year.	7,000 00	.....
Do	For keeping in repair hospital, and furnishing the necessary medicines, &c.	.....do.....	5th article treaty July 16, 1855; fourteen instalments yet to be appropriated estimated at \$300 per year.	4,200 00	.....
Do	For pay of physician twenty years.	.....do.....	5th article treaty July 16, 1855; fourteen instalments estimated at \$1,400 yet due.	19,600 00	.....
Do	For keeping in repair the buildings of employes, &c., for twenty years.	.....do.....	5th article treaty July 16, 1855; fourteen instalments estimated at \$300 each yet to be made.	4,200 00	.....

No. 194.—Statement showing the present liabilities of the United States to Indian tribes, &c.—Continued.

Names of tribes.	Description of annuities, stipulations, &c.	Reference to laws; Statutes at Large.	Number of installments yet unappropriated, explanations, remarks, &c.	Annual amount necessary to meet obligations, indefinite as to time, now allowed, but liable to be discontinued.	Aggregate of future appropriations that will be required during a limited number of years to pay limited annuities till they expire: amounts incidentally necessary to effect the payment.	Amount of annual liabilities of permanent character.	Amount held in trust by the United States on which five per cent is annually paid: and amounts which, invested at five per cent, would produce the permanent annuities.
Flathead and other confederated tribes.—Continued.	For \$500 per annum for twenty years for each of the head chiefs.	Vol. 12, page 977.	5th article treaty July 16, 1855; fourteen installments unappropriated, estimated at \$1,500 each year.	.....	\$21,000 00	.....	.....
Confederated tribes and bands of Indians in Middle Oregon.	For beneficial objects, under the direction of the President, \$100,000 in graduated payments.	Vol. 12, page 964.	2d article treaty June 25, 1855; fourteen installments to be appropriated.	.....	54,000 00	.....	.....
Do	For farmer, blacksmith, and wagon and plough maker for the term of fifteen years.	Vol. 12, page 965.	4th article treaty June 25, 1855; nine installments yet unappropriated, estimated at \$3,500 each year.	.....	31,500 00	.....	.....
Do	For physician, sawyer, miller, superintendent of farming and school teacher fifteen years.	.....do	4th article treaty June 25, 1855; nine installments, estimated at \$5,600 each year, yet to be provided for.	.....	50,400 00	.....	.....
Do	Salary of the head chief of the confederated band twenty years.	.....do	4th article treaty June 25, 1855; fourteen installments yet to be appropriated, estimated at \$500 each year.	.....	7,000 00	.....	.....
Mole Indians.	For keeping in repair saw and flouring mill, and furnishing suitable persons to attend the same for a period of ten years.	Vol. 12, page 981.	2d article treaty Dec. 21, 1855; four installments unappropriated, estimated at \$1,500 each.	.....	6,000 00	.....	.....
Do	For pay of teacher to manual labor school and for subsistence of pupils and necessary supplies.	.....do	2d article treaty Dec. 21, 1855; amount necessary during the pleasure of the President.	\$3,000 00	.....	.....	.....
Do	For carpenter and joiner to aid in erecting buildings, making furniture, &c.	Vol. 12, page 962.	2d article treaty Dec. 21, 1855; four installments yet to be provided for, estimated at \$2,000 each year.	.....	8,000 00	.....	.....

Quinn-elt and Quileute Indians.	For \$25,000 to be expended for beneficial objects, under direction of the President.	Vol. 12, page 972.	4th article treaty July 1, 1855; fourteen instalments graduated payments provided for.	13,700 00
Do	For support of an agricultural and industrial school, and for the employment of suitable instructors for the term of twenty years.	Vol. 12, page 973.	10th article treaty July 1, 1855; fourteen instalments unappropriated, estimated at \$2,500 each year.	35,000 00
Do	For twenty instalments for support of a smith and carpenter shop and tools.	do	10th article treaty July 1, 1855; fourteen instalments unappropriated, estimated at \$500 year.	7,000 00
Do	For the employment of blacksmith, carpenters, farmer, and physician, for twenty years.	do	10th article treaty July 1, 1855; fourteen instalments unappropriated, estimated at \$500 year.	64,400 00
Do	Twenty instalments in graduated payments, under the direction of the President, for \$80,000.	Vol. 12, page 934.	5th article treaty Jan. 26, 1855; fourteen instalments yet to make provision for.	32,000 00
S'Klallams.	Twenty instalments for support of an agricultural and industrial school and for teachers.	Vol. 12, page 935.	11th article treaty Jan. 26, 1855; fourteen instalments to be provided for, estimated at \$2,500 each.	35,000 00
Do	Twenty years' employment of blacksmith, carpenter, farmer, and physician.	do	11th article treaty Jan. 26, 1855; fourteen instalments unappropriated, estimated at \$4,000 each.	64,400 00
Arapahoes and Cheyenne Indians of the Upper Arkansas river.	For \$450,000 in fifteen equal annual instalments, under the direction of the Secretary of the Interior, of \$30,000 each.	Vol. 12, page 1165.	4th article treaty Feb. 18, 1861; ten instalments unappropriated at \$25,000.	300,000 00
Do	For five instalments providing for sawing timber, building traps, machinery shops, tools, and building purposes, for interpreter, engineer, and miller.	do	5th article treaty Feb. 18, 1861; two instalments to be provided for, estimated at \$5,000.	10,000 00
Do	For transportation and necessary expenses of the delivery of annuity goods and provisions.	do	5th article treaty Feb. 18, 1861; ten instalments unappropriated, estimated at \$5,000 each.	50,000 00
Ottawa, Indians of Blanchard's Fork, and Roche de Buaf.	Four equal instalments in money.	Vol. 12, page 1238.	4th article treaty June 24, 1862; one payment yet to be appropriated of \$8,500.	8,500 00
Do	The accruing interest on the unpaid balance.	do	4th article treaty June 24, 1862.	425 00
Do	For this amount, being the last instalment on stocks held in trust by the Department of the Interior.	do	4th article treaty June 24, 1862.	2,849 87
Eastern bands of Shoshonees.	Twenty instalments of \$10,000 each, to be expended under the direction of the President, 5th article treaty July 2, 1863.	*Page 177, section 5.	Eighteen instalments unappropriated.	180,000 00
Western bands of Shoshonees.	Twenty instalments of \$5,000 each, to be expended under the direction of the President, 7th article treaty October 1, 1863.	Page 557.	Eighteen instalments unappropriated.	90,000 00

* The references from this point to the end of the table are to the Pamphlet copy of the laws.

No. 194.—Statement showing the present liabilities of the United States to Indian tribes, &c.—Continued.

Names of tribes.	Description of annuities, stipulations, &c.	Reference to laws; pamphlet copy; first and second sessions Thirty-eighth Congress.	Number of instalments yet unappropriated; explanatory remarks, &c.	Annual amount necessary to meet stipulations, in whole or in part, now allowed, but liable to be discontinued.	Aggregate of future appropriations that will be required during a limited number of years till they expire; and to effect the payment.	Amount of annual liabilities of a permanent character.	Amount held in trust by the United States on which five per cent. is annually paid; and amounts which, in-vested at five per cent., would produce the permanent annuities.
Northwestern bands of Shoshonees.	Twenty instalments of \$5,000 each, to be expended under the direction of the President, 3d article treaty July 30, 1863.	Page 177, section 3	Eighteen instalments unappropriated.	.....	\$90,000 00	.....	.....
Goship bands of Shoshonees.	Twenty instalments of \$1,000 each, to be expended under the direction of the President, 7th article treaty October 12, 1863.	Page 177, section 9	Eighteen instalments unappropriated.	.....	18,000 00	.....	.....
Chippewas of Red Lake & Pembina.	Twenty instalments of \$20,000 each, to be paid as annuities.	.....	Eighteen instalments unappropriated.	.....	360,000 00	.....	.....
Takewasche bands of Utah Indians.	Twenty instalments of \$20,000 each, March 25, 1864.	Page 25, section 8	(Goods \$10,000 provisions \$10,000) eight instalments unappropriated.	.....	166,000 00	.....	.....
Do	Five instalments of \$10,000 each, for the purchase of implements and purchase of farming utensils, stock, &c.	Page 75, section 8	Three instalments unappropriated.	.....	30,000 00	.....	.....
Chippewas of the Mississippi Pillagers and Lake Winnebagoish bands in Minnesota.	Two instalments of \$1,200 each, to furnish Indians with oxen, log chains, &c., 5th article treaty May 7, 1864.	Page 86, section 5	Eight instalments unappropriated.	.....	120,000 00	.....	.....
Do	Support of two carpenters, two blacksmiths, four farm laborers, and one physician, ten years.	.....do	Estimated at \$7,700 per annum, eight instalments to be appropriated.	.....	61,600 00	.....	.....
Do	This isn't to be applied for support of saw mill as long as the President may deem it necessary.	.....do	6th article treaty May 7, 1864, annual appropriation.	\$1,000 00	.....	.....	.....
Do	Pay of services and travelling expenses of a board of visitors not more than five persons, to attend annuity payments to the Indians, &c.	Page 86, section 7	7th article treaty May 7, 1864.	650 00	.....	.....	.....
Do	For payment of female teachers employed on the reservation.	Page 87, section 13	13th article treaty May 7, 1864.	1,000 00	.....	.....	.....
			Dec. 21, '84, yet to be audited at 1/2	60,820 00	10,055,390 98	533,615 39	7,427,707 86

No. 195.—Statement of the population, wealth, and education of the different Indian tribes within the United States for 1865.

Tribes.	POPULATION.			Wealth in individual property.	SCHOOLS.		NO. OF SCHOLARS.		NO. OF TEACHERS.		Under charge of what denomination.	Amount contributed by any religious society.	Amount contributed by individual Indians.	Number of missionaries and their denominations.	No. who have been enlisted in U. S. A. from beginning of the war.
	Male.	Female.	Total.		No.	Location.	Male.	Female.	Male.	Female.					
<i>Michigan agency.</i> Chippewas of Lake Superior..... Ottawas and Chippewas.....	475	583	1,058	\$24,900	1	L'Ange.....	27	12	1	1	Methodist.....			1 Methodist.....	13
	2,382	2,541	4,923	257,822	2	do.....	24	28	1	1	Catholic.....			1 Catholic.....	
					1	Onawmawneec-ville.	9	6			Presbyterian.....			1 Presbyterian.....	
					2	Eagletown.....	22	18			Presbyterian.....			1 Presbyterian.....	
					3	Grove Hill.....	20	15	2	2	Presbyterian.....			1 Presbyterian.....	
					4	Pine river.....	17	11	1	1	Presbyterian.....			1 Presbyterian.....	
					5	Bear river.....	19	10	1	1	Presbyterian.....			1 Presbyterian.....	
					6	Bear river.....	13	12	1	1	Presbyterian.....			1 Presbyterian.....	
					7	Little Traverse.....	22	12	1	1	Catholic.....			1 Catholic.....	
					8	Middle Village.....	25	8	1	1	do.....			1 Catholic.....	
Chippewas of Enginaw, Swan creek, and Black river.					9	Cross Village.....	63	54	2	2	do.....			1 Catholic.....	
					10	Shesboygan.....	15	14	1	1	do.....			1 Catholic.....	
					11	Point Iroquois.....	16	15	1	1	Methodist.....			1 Methodist.....	120
					12	Sugar Island*.....	16	13	1	1	do.....			1 Methodist.....	
					13	Sugar Island†.....	7	10	1	1	Methodist.....			1 Catholic.....	
					14	Isabella county.....	9	11	1	1	Methodist.....			1 Wesleyan Meth't.....	
					15	Occana county.....	7	5	1	1	Catholic.....			1 Wesleyan Meth't.....	
					16	do.....	28	9	1	1	Methodist.....			1 Methodist.....	
					17	do.....	5	8	1	1	Methodist.....			Same missionary as No. 16.....	
					18	do.....	6	2	1	1	Wesleyan Meth't.....			Same missionary as No. 17.....	
					19	Marion county.....	15	8	1	1	Methodist.....			Same missionary as No. 16.....	
					20	do.....	9	1	1	1	do.....			Same missionary as No. 17.....	
	804	777	1,581	7,631	1	Isabella county.....	25	21	1	1	do.....			1 Methodist.....	57
					2	do.....	36	21	1	1	do.....				
					3	do.....	9	1	1	1	do.....				
					4	do.....	12	5	1	1	do.....				
					5	do.....	18	2	1	1	do.....				
					6	Saganing.....	30	21	1	1	do.....			1 Methodist.....	

* School-house burned; school closed.

† School closed for the present.

‡ School closed.

No. 195.—Statement of the population, wealth, and education of the different Indian tribes, &c.—Continued.

Tribes.	POPULATION.			Wealth in individual property.	SCHOOLS.		NO. OF SCHOLARS.		NO. OF TEACHERS.		Under charge of what denomination.	Amount contributed by any religious society.	Amount contributed by individual Indians.	Number of missionaries and their denominations.	No. who have been enlisted in U. S. A. from beginning of the war.
	Male.	Female.	Total.		No.	Location.	Male.	Female.	Male.	Female.					
<i>Michigan agency—Continued.</i>															
Chippewas, Ottawas, and Pottawatomies.	115	127	242	\$39,080	1	Po-kay-gon.....					1				3
Pottawatomies of Huron.....	23	22	45		1	Athens.....	6	3			1				3
<i>Green Bay agency.</i>															
Stockbridges and Munsees.....	164	174	338	3,412	1	Central.....	18	9	1						43
Ojicidas.....	518	546	1,064	60,000	1	North end of reservation.	50	31	1	1	Methodist.....	\$800	\$165	1 Episcopalian.....	111
Menomonees.....	886	933	1,819	10,000	3	Central.....	59	41		3	Catholic.....			1 Catholic.....	125
<i>Omaha agency.</i>															
Omahas.....	484	518	1,002	107,850	1	Omaha Reserve.....	23	21	2	2	Presbyterian.....	4,476	*	1 Presbyterian.....	260
<i>Otoe and Missouri agency.</i>															
Otoes and Missourias.....	250	258	508	26,920											4
<i>Pawnee agency.</i>															
Pawnees.....			2,800		1	Pawnee Reserve.....		13	9						
<i>Great Nemaha agency.</i>															
Iowas.....	129	165	294	16,750	1	Iowa Reserve.....		19	18	1	1				43
Sacs and Foxes of the Missouri.....	44	51	95	7,100											
<i>Pottawatomie agency.</i>															
Pottawatomies.....	925	945	1,874	108,450	1	Pottawatomie Reserve.....	100	78	5	5	Catholic.....			4 Catholic.....	72

[illegible]

! No report received; 500 Shawnees are in the Wichita agency.
|| Creek and Seminoles.

\$3,750 contributed by tribe. † \$200 contributed by tribe.
No schools, in consequence of the rebellion.

**\$3,750 contributed by tribe.
No schools, in consequence**

Recapitulation.

Total population.....	294,574
Total wealth in individual property.....	\$1,348,279
Total number of schools.....	48
Total number of male scholars.....	1,227
Total number of female scholars.....	938
Total number of male teachers.....	31
Total number of female teachers.....	41
Total amount contributed by religious societies.....	\$7,476
Total amount contributed by individual Indians.....	\$555
Total number of missionaries.....	26
Total number who have enlisted in the United States army.....	5,093

REMARKS.

New York agency.—No report as to wealth, &c., received. Population, 3,956.

Agency for Chippewas of the Mississippi.—No report received. Estimated population of Pillager and Winnebagoish bands last year, 1,936; population of Mississippi bands, 2,043; estimated population of Chippewas of Red Lake and Pembina, 2,000.

Agency for Chippewas of Lake Superior.—No report received. Estimated population, 4,580.

Winnebago agency.—No report as to wealth, &c., received. Population of Winnebagoes, 1,900.

Upper Platte agency.—Population of Brulé Sioux and Ogallallas, 7,835; of Arapahoos, 1,800; of Cheyennes, 720.

Kickapoo agency.—No report received. Population of Kickapoos, 238.

Kiowa agency.—No report of wealth, &c., received. Estimated population of Kiowas, 1,800; of Comanches, 1,800; of Apaches, 500.

Cherokee agency.—No report. Estimated population of Cherokees, 14,000. Twenty-two hundred enlisted in the army.

Seminole agency.—No report. See Creek agency. Population of Seminoles, 2,000.

Wichita agency.—No report of wealth, &c., received. Population of Wichitas, Caddoes, Comanches, and others, 1,800; of Shawnees, 500.

Choctaw agency.—No report received. Estimated population of Choctaws, 12,500; of Chickasaws, 4,500. Twelve Chickasaws enlisted in the army.

Nevada superintendency.—No report received. Population of Washoes, Pah Utahs, and other tribes, 6,500. This is exclusive of a number of Indians whose range is within the boundaries of Nevada, but who are connected with other superintendencies outside of Nevada.

New Mexico superintendency.—Population of Apaches, 4,500; of Utahs, 3,000; of Pueblos, 7,000; of Navajoes, 7,000. No report received from the agencies to which these tribes belong.

Upper Arkansas agency.—No report as to wealth, &c., received. Population of Arapahoos, 1,500; of Cheyennes, 1,600.

Conejo agency.—No report as to wealth, &c., received. Population of Tabeguache Utes, 4,500.

Denver agency.—No report as to wealth, &c., received. Population of Grand River and Uintah Utes, 2,500.

Upper Missouri Sioux agency.—No report as to wealth, &c., received. Population of six bands of Sioux, 13,900.

Yancton Sioux agency.—Population, 2,300. Eight enlisted in the army.

Upper Missouri agency.—Population of Arickarees, 1,000; of Mandans, 300; of Gros-Ventres, 700; of Assinaboines, 4,000; of Crows, 4,000.

Idaho superintendency.—Population of Cœur d'Alènes, Kootenays, and other tribes, 2,000; of Boisé Shoshonees, 1,000; of Kammas and Prairie Shoshonees, 2,000.

Flathead agency.—Population of Flatheads, 551; of Pend d'Oreilles, 908; of Kootenays, 273. One Jesuit missionary.

Blackfeet agency.—No report. Population of Gros-Ventres, 1,800; of Piegans, 1,870; of Bloods, 2,150; of Blackfeet, 245.

Arizona superintendency.—No report as to wealth, &c. Population of Papagos, 5,000; of Pimas and Maricopas, 7,500; of Yumas, 1,500; of Mojaves, Yupapais, Hualopais, and Chemihevais, 8,000; of Apaches, 4,000; of Moquis, 2,500.

Yakama agency.—No report received. Population of Yakamas, 3,000.

Puyallup agency.—No report received. Population of Puyallups, 2,000.

Tulalip agency.—No report received. Population of Dwanish and other tribes parties to the treaty of Point Elliott, 1855, 1,900.

Skokomish agency.—No report received. Population of Skokomish, Sklallams, and other tribes parties to the treaty of Point-no-point, 1855, 1,500.

Quinalt agency.—No report received. Population of Quinalt and Quillehutes, 600.

Fort Colville special agency.—No report received. Population of Spokanes and other tribes, 3,400.

Oregon superintendency.—No report received. Population of Indians not embraced in any agency, 4,000.

Klamath agency.—No report of wealth, &c. Population of Klamaths and Modocs, 2,500.

Warm Springs agency. No report. Population of Wascoes and other tribes, 1,066.

Grande Ronde agency.—No report. Population of Molels and other tribes, 2,300.

Siletz agency and Alsea sub-agency.—No report. Population of Umpquas, Alseas, and other tribes, 2,800.

Umatilla agency.—No report. Population of Umatilla and other tribes, 1,021.

Spanish Fork agency.—No report. Population of Uintah Valley Uintahs and other tribes, 14,400.

Fort Bridger agency.—No report. Population of Eastern Shoshonees and other tribes, 4,000.

California superintendency.—No report. Population of Indians not on reservations or embraced in any agency, 30,000.

Hoop Valley agency.—No report. Population of various tribes, 600.

Smith River agency.—No report. Population of Wylaskies and Humboldts, 700.

Round Valley agency.—No report. Population of Ukies, Ooncowes, and other tribes, 1,760.

Tule River agency.—No report. Population of Owen Rivers and Tules, 800.

No. 196.

Statement showing the farming operations of the different Indian tribes in direct connexion with the government of the United States for 1865.

Tribes.	Size of reserve, in acres or miles.	Acres cultivated by Indians.	Acres cultivated by Government.	Frame houses.	Log houses.	Wheat raised.		Corn raised.		Rye raised.		Barley raised.		Oats raised.		Beans raised.	Potatoes raised.		Turnips raised.	
						Bush.	Val.	Bush.	Value.	Bush.	Val.	Bush.	Value.	Bush.	Value.		Bush.	Value.		
<i>Michigan agency.</i>																				
Chippewas of Lake Superior		538	3	67		1,320	\$2,050	21,686	\$21,136					790	\$790			7,190	\$7,190	
Ottawas and Chippewas		5,330	143	461		1,320	\$2,050	21,686	\$21,136					790	\$790			77,684	53,725	817
Chippewas of Saginaw, Swan creek and Black river.		1,701	28	132		267	657	3,394	6,792									2,100	4,149	555
Chippewas, Ottawas, and Pottawat- omies.		630	5	37		1,290	2,304	3,680	3,104									1,470	551	110
Pottawatomes of Huron		20	1	6				30	15									50	25	16
<i>Green Bay agency.</i>																				
Stockbridges and Menomees	46,080	201	1	37		20	25	975	975									2,405	1,203	
Ojibwas	61,000	3,062	41	105		4,727	5,312	5,103	3,968					7,001				6,260	1,565	45
Menomones	230,400	350	94	82		150	225	160	1,300					400				3,975	1,000	14
<i>Omaha agency.</i>																				
Omahas	18 by 30 miles.	900	45	25				22,500	28,125									1,000	1,500	250
<i>Ottow and Missouri agency.</i>																				
Ottowas and Missourians	10 by 25 miles.	290	150	9		1,620	2,000	14,000	7,100							500	\$750			
<i>Pawnee agency.</i>																				
Pawnees																				
<i>Great Nemaha agency.</i>																				
Iowas	16,000	299	6	18				2,400	2,540									450	225	
Sacs and Foxes of the Missouri	16,000	42	3	2				1,600	1,400									100	50	

Statement showing the farming operations of the different Indian tribes, &c.—Continued.

Tribes.	Size of reserve, in acres or miles.	Acres cultivated by Indians.	Acres cultivated by Government.	Frame houses.	Log houses.	Wheat raised.		Corn raised.		Rye raised.		Barley raised.		Oats raised.		Beans raised.		Potatoes raised.		Turnips raised.	
						Bush.	Val.	Bush.	Value.	Bush.	Val.	Bush.	Value.	Bush.	Value.	Bush.	Value.	Bush.	Value.	Bush.	Val.
<i>Ponca agency.</i>																					
Ponca*.....	90 sq. m.	200	50	5	16																
<i>Yancton Sioux agency.</i>																					
Yancton Sioux.....	400,000	250	50	7	61																
<i>Crow Creek agency.</i>																					
Sioux of the Mississippi.....	550,000		175		2	3,000	\$1,200														
<i>Nez Percé agency.</i>																					
Nez Percé.....	10,000 sq. m.	1,505	80	9	10	8,090	30,000	8,120	\$12,200									11,450	\$18,000		
<i>Flathead agency.</i>																					
Flatheads, Pond d'Oreilles, and Kootenays.....	2,000 sq. m.	2,000	45	3	6	2,090	2,090							100				1,100	6,600		
<i>Neenah Bay agency.</i>																					
Makahs.....	20 sq. m.	15	8	3	70													3,899	8,000	50	
<i>Yakama agency.</i>																					
Yakamas.....		1,200	150			350												1,150			
<i>Puyallup agency.</i>																					
Puyallups.....						300								00				7,000	5,950		

<i>Tulalis agency.</i>													
Dramah and other tribes, parties to treaty of Point Elliott, 1855.	150	7										2,000	
<i>Hoopa Valley agency.</i>													
Various tribes		475	2,100	900							30	525	
<i>Smith River agency.</i>													
Wylakies, Humboldt	1,387	381	2,750								200	4,500	200
<i>Round Valley agency.</i>													
Ukies, Oncowas, and others	25,000	940	6,000	5,000									\$600
<i>Tule River agency.</i>													
Tules and Owen's Rivers	1,280	464	2,170	1,500							300	11,500	
	47,070	3,013	716	5,203	41,269	42,917	339,961	286,746	1,639	\$1,292	1,116	18,581	\$12,045
											1,189	\$825	227,463
													131,398
													3,908
													\$1,535

* Raised large crops, but no details reported. † Also 25 bushels of peas.
 ‡ Also 400 bushels carrots, 2,000 bushels apples, 800 bushels peas, 200 bushels beets, 30 bushels buckwheat.
 § Also 900 bushels carrots, 300 bushels peas, 600 bushels beets. || Also 2,500 pumpkins.

Statement showing the farming operations of the different Indian tribes, &c.—Continued.

Tribes.	Rice gathered.		Hay cut.		Horses owned.		Cattle owned.		Swine owned.		Sheep owned.		Sugar made.		Fish sold.		Value of furs sold.	Feet of lumber saved.
	Bu.	Val.	Tons.	Value.	No.	Value.	No.	Value.	No.	Value.	No.	Value.	Pounds.	Value.	Barrels.	Value.		
Michigan agency.																		
Chippewas of Lake Superior			207	\$6,210	3	\$220	86	\$3,390	7	\$75			51,810	\$9,987	492	\$7,572	\$7,200	.....
Ottawas and Chippewas			1,014	13,601	709	31,251	428	15,145	1,055	6,061			363,900	57,061	9,163	80,737	36,137	.....
Chippewas of Saginaw, Swan creek and Black river,			28	1,000	432	20,220	92	3,115	125	1,036			36,413	1,334	222	2,904	9,700	35,246
Chippewas, Ottawas, and Pottawati- omies.			115	1,420	37	2,960	98	1,450	100	700	75	\$375	1,020	204			1,390	.....
Pottawatomies of Huron			6	120									100	20				.....
Green Bay agency.																		
Stockbridges and Muncies			24	294	23	2,065	65	1,500	51	264	4	20	2,290	362			16	.....
Oncidas			511	4,988	195	13,655	402	13,815	336	1,657	133	600	1,385	221				35,000
Menomonees	65	\$130	200	2,000	120	3,000	160	6,400	40	120			90,000	10,000			8,000	300,000
Omaha agency.																		
Omahas			400	1,600	1,225	61,250	200	2,000	25	125							5,000	218,964
Otoe and Missouri agency.																		
Otoes and Missourias			158	588	516	20,640	12	900	75	225			518	127			1,200	18,548
Pawnee agency.																		
Pawnees .....																		.....
Great Nemaha agency.																		
Iowas					91	8,000	71	3,500	210	1,000								.....
Sacs and Foxes of the Missouri.					61	4,500												.....
Pottawatomie agency.																		
Pottawatomies			1,200	4,800	2,900	77,000	1,600	24,000	500	1,500							2,500	.....

*Sac and Fox agency.*Sacs and Foxes of the Mississippi,
Chippewa and Christian Indians.*Ozage River agency.*Miamies of Kansas.
Confederate bands of Teotilas, Pian-
keshaws, Kaskaskias, and Wocas.*Delaware agency.*

Delawares.....

Kansas agency.

Kannas or Kaws.....

Kickapoo agency.

Kickapoos.....

Ottawa agency.

Ottawas.....

Creek agency.

Creeks.....

Neosho agency.

Neosho.....

Quapaws.....

Sauvages and Shawnees.....

Seuuecas.....

Seminole agency.

Seminoles.....

*Upper Missouri agency.*Arikarees, Gros-Ventres, Mandans,
Assinaboines, and Crows.*Ponca agency.*

Poncas.....

* Also 22 tons millet, \$396.

† Also 50 tons pumpkins, \$150, and 74 tons millet.

‡ 1,200 gallons of sorghum made.

Statement showing the farming operations of the different Indian tribes, &c.—Continued.

Tribes.	Rice gathered.		Hay cut.		Horses owned.		Cattle owned.		Swine owned.		Sheep owned.		Sugar made.		Fish sold.		Value of furs sold.	Feet of lumber sawed.
	Bu.	Val.	Tons.	Value.	No.	Value.	No.	Value.	No.	Value.	No.	Value.	Pounds.	Value.	Barrels.	Value.		
<i>Yanction Sioux agency.</i>																	\$10,500	
Yanction Sioux			80	\$8,000	350	\$10,500	24	\$500									4,700	3,000
<i>Crow Creek agency.</i>																		
Sioux of the Mississippi			58	1,450	58	4,640											1,295	40,000
<i>Nez Percés agency.</i>																		
Nez Percés			10	800	9,290	100,000	1,535	30,000										75,000
<i>Flathead agency.</i>																		
Flatheads, Pend d'Orellen, and Kootenaya			10	150	2,002	10,200	114	11,400										
<i>Nezét Bay agency.</i>																		
Makahs					1	900	25	2,500									3,000	
<i>Yakama agency.</i>																		
Yakamas																		
<i>Puyallup agency.</i>																		
Puyallups			1225					500		\$200							400	
<i>Tulalip agency.</i>																		
Duwamish and other tribes, parties to treaty of Point Elliott, 1855.			30															90,000
<i>Hoopa Valley agency.</i>																		
Various tribes							45	38										

Smith River agency.

Wyalakies, Humboldt.....

Round Valley agency.

Ukies, Oncows, and others.....

Tule River agency.

Tules and Owen's Rivers.....

65	130	10,541	67,016	29,490	657,141	8,890	170,450	6,765	30,069	404	1,635	549,957	70,677	10,677	125,338	1,394,498
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* Also sold oil in value, \$4,000; dried fish, \$31,000.

† Also 2,000 pounds timothy seed, 500 bushels peas, 1,500 bushels carrots, beets, &c.

Recapitulation of tables Nos. 195 and 196.

Schools reported	48
Scholars	2, 165
Teachers	71
Missionaries	26
Amount contributed by religious societies for education, &c	\$7, 476
Amount contributed by individual Indians for education	\$555
Amount contributed by Indians as a tribe for education	\$4, 550
Population of the various tribes, from full reports	294, 574
Wealth in individual property	\$1, 348, 279
Indians in the United States army	5, 098
Acres farmed by Indians	47, 070
Acres farmed by government	3, 013
Frame houses	716
Log houses	5, 203
Feet of lumber sawed	1, 349, 498
Bushels of wheat raised	41, 269
Bushels of corn raised	339, 961
Bushels of rye raised	1, 292
Bushels of barley raised	1, 116
Bushels of oats raised	18, 581
Bushels of beans raised	1, 189
Bushels of potatoes raised	227, 463
Bushels of turnips raised	3, 908
Bushels of rice gathered	65
Bushels of carrots raised	2, 660
Bushels of beets raised	1, 800
Bushels of apples raised	2, 000
Bushels of peas raised	2, 063
Bushels of onions raised	187
Bushels of buckwheat raised	92
Tons of millet raised	23
Pounds of timothy seed raised	2, 000
Tons of hay cut	10, 541
Horses owned	29, 490
Cattle owned	8, 890
Swine owned	6, 765
Sheep owned	404
Pounds of sugar made	550, 457
Barrels of fish sold	10, 677
Value of furs sold	\$125, 338
Feet of lumber sawed	1, 394, 498
Tons of pumpkins raised	50
Gallons of sorghum sirup made	3, 050
Dried fish sold to the value of	\$3, 000
Oil sold to the value of	\$4, 000

GENERAL REMARKS.—No report received from the following agencies and superintendencies: New York agency, agency for Chippewas of Mississippi, agency for Chippewas of Lake Superior, Winnebago agency, Upper Platte agency, Shawnee agency, Kiowa, &c., agency, Cherokee agency, Wichita agency, Choctaw and Chickasaw agency, Nevada superintendency, Cimarron agency, Navajo agency, Mescalero Apache agency, Pueblo agency, Abiquin agency, Upper Arkansas agency, Conejo agency, Denver agency, Upper Missouri Sioux agency, Blackfoot agency, Arizona superintendency, Skokomish agency, Quinaielt agency, Klamath agency, Warm Springs agency, Grande Ronde agency, Siletz agency, Alsea agency, Umatilla agency, Spanish Fork agency, and Fort Bridger agency.

REPORT

OF

THE COMMISSIONER OF PENSIONS

DEPARTMENT OF THE INTERIOR,
Pension Office, November 1, 1865.

SIR: I have the honor to submit the following report of the transactions and condition of this bureau during the past year:

ARMY PENSIONS.

The number of army invalid pensions allowed on original applications during the year ending June 30, 1865, was 14,962, at an aggregate annual rate of \$1,200,812 90. The average individual rate of these pensions was \$80 25. The number of army invalid pensions increased during the same period was 366, and the annual amount of increase \$19,973. The whole number of army invalid claims, of both classes, admitted during the year, was 15,328, at an annual aggregate of \$1,220,785 90.

The whole number of claims of widows, mothers, minor children and orphan sisters of deceased officers and soldiers of the army, (except revolutionary,) allowed during the year, on original applications, was 24,693, at an aggregate annual rate of \$2,574,095, and an average individual rate of \$106 66. The number of pensions of this class increased during the same period was 14, at an aggregate yearly rate of \$84, giving a total of 24,707, and a grand annual aggregate of \$2,574,179.

An act of Congress approved February 27, 1865, gave \$300 additional pension to each of the five revolutionary soldiers then supposed to be living. Only four of the number lived to receive this special recognition of their patriotic services in establishing our national independence. Two others have since died, leaving but two survivors of all those who participated in the war of the Revolution, so far as is known, namely, William Hutchings, of Penobscot, Hancock county, Maine, aged one hundred and one years, who took part in the celebration of the last national anniversary; and Lemuel Cook, of Clarendon, Orleans county, New York, aged about ninety-nine years.

The whole number of widows of revolutionary soldiers who were allowed pensions on original applications, during the year, was five, at a yearly amount of \$293 76.

The amount paid to army invalid pensioners during the year ending June 30, 1865, was \$2,166,090 45; to widows, (except revolutionary,) mothers, and orphans, \$5,944,501 36; and to revolutionary soldiers and their widows, including expenses chargeable to the appropriation for this purpose, \$209,080 68. The grand total of these payments for the year was \$8,319,672 49.

The total number of army invalid pensioners at the close of the last fiscal year was 35,041, calling for an annual amount in the aggregate of \$2,635,317 80. The average individual rate payable to these pensioners was \$75 20.

The total number of widows, (except revolutionary,) mothers, and orphans,

whose names were on the army pension rolls at the close of the year was 47,972, at an aggregate annual rate of \$5,066,740, and an average individual rate of \$106 12 per annum.

Of revolutionary soldiers and widows there were enrolled, at the same date, 1,117, the yearly amount of whose pensions was \$90,714 71. The widows of revolutionary soldiers (1,115 in number) are pensioned under four different acts, the first of which, approved July 4, 1836, allowed pensions only to those whose marriage with the deceased soldiers took place before the close of the military service of the latter, more than eighty-two years since. Of this class there are only four survivors, who were paid on the 4th of March last, as follows: Beda Hays, widow of Dudley Hays, living in Hartford county, Connecticut, and receiving \$60 per annum; Betsey Whipple, widow of Stephen Whipple, residing in Coos county, New Hampshire, pensioned at the rate of \$96 per annum; Jane Slaughter, widow of Isaac Slaughter, Orange county, New York, \$80 per annum; Nancy Serena, widow of Joseph Serena, Westmoreland county, Pennsylvania, \$96 per annum.

To be entitled to a pension under the act of February 2, 1848, the widow of the revolutionary soldier must have been married to him before January 1, 1794. The number of pensioners of this class paid during the last year was 108, at an aggregate annual rate of \$7,724 66. The act of July 29, 1848, extended the benefits of the pension laws to the widows of revolutionary soldiers married prior to January 1, 1800. The number pensioned under this act, whose names remained on the rolls at the close of the last fiscal year, was 70, and the aggregate annual rate of their pensions \$4,739 76. Under the second section of the act of February 3, 1853, further extending these benefits so as to include those widows who were married to revolutionary soldiers subsequently to January 1, 1800, the number of pensioners enrolled at the close of the year, was 880, amounting, at an individual average of \$80 per annum, to an annual amount of \$90,400. The remainder of the widows of revolutionary soldiers now on the rolls are pensioned under special acts.

The total number of army pensioners enrolled at the close of the year ending June 30, 1865, was 84,130, and the aggregate annual rate of their pensions was \$7,792,772 51.

NAVY PENSIONS.

The whole number of navy invalid pensions allowed on original applications during the year ending June 30, 1865, was 250, at a total annual rate of \$19,018. The number of navy invalids whose pensions were increased during the same period was 7, at an annual rate of \$227.

Pensions were granted during the same period, on original applications, to 266 widows, mothers, orphan children, or orphan sisters of deceased officers or seamen of the navy, at an aggregate annual rate of \$35,328.

The total amount paid to navy invalid pensioners during the last fiscal year was \$40,251 61. The total amount paid to the widows or dependents of navy officers or seamen during the same period was \$165,229 01. The aggregate amount of navy pensions thus paid was \$205,480 62.

There were on the navy pension rolls at the close of the fiscal year the names of 839 invalids, the yearly amount of whose pensions was \$61,854 92; and of 1,017 widows, mothers or orphans, at an aggregate annual rate of \$168,818. The total number of navy pensioners at that date was 1,856, calling for an annual payment, in the aggregate, of \$230,672 92.

STATISTICAL TABLES.

Reference is made to the tabular statements appended to this report—marked A, B, C, D, E, F, G, and H—for fuller details of the matters embraced in the

foregoing summary, and for other statistics of less general importance. These tables exhibit the transactions of this bureau in the several States and Territories and at the various pension agencies.

AGGREGATES FOR THE LAST FIVE YEARS.

The aggregate annual amounts of pensions, and the total actual payments per annum, during the last five years, were as follows :

	Annual rates.	Actual payments.
1861	\$957, 772 08	\$1, 072, 461 55
1862	921, 076 69	790, 384 76
1863	1, 371, 716 40	1, 025, 139 91
1864	4, 595, 376 33	4, 504, 616 92
1865	8, 023, 445 43	8, 525, 153 11

The number of pensioners, of the several classes, during the same years, will appear from the following table : *

	1861.	1862.	1863.	1864.	1865.
Revolutionary soldiers	63	30	18	12	2
Widows of revolutionary soldiers	2, 728	1, 850	1, 573	1, 418	1, 115
Army invalids	4, 723	3, 878	7, 248	22, 767	35, 041
Widows, &c., (army)	2, 236	1, 485	4, 820	25, 433	47, 972
Navy invalids	427	421	544	712	839
Widows, &c., (navy)	530	483	577	793	1, 017
Total	11, 307	8, 147	14, 780	51, 135	85, 986

During the four years ending June 30, 1865, the number of pensioners (in the loyal States) stricken from the rolls by reason of deaths, re-enlistments of invalids, re-marriages of widows, or other causes, were as follows :

	1862.	1863.	1864.	1865.
Invalids, (army)	334	568	1, 251	2, 688
Widows and others, (army)	699	598	1, 756	2, 708
Invalids, (navy)	56	61	113	123
Widows, &c., (navy)	32	39	32	42
Total	1, 121	1, 266	3, 152	5, 561

Whole number dropped from the rolls during four years, 11,100. More than half this number disappeared from the pension list during the last year, exclusive of the rolls of the States lately in insurrection. This diminution is equal to nearly one-seventh of the whole number (40,176) added to the rolls during the year.

SOUTHERN ROLLS AND AGENCIES.

The pension agencies for the several States of Arkansas, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia were, of course, suspended on the outbreak of the rebellion. Since the close of the war a gradual restoration of the administration of the pension system in those States, in accordance with an order of the President of the

* After the year 1861 those pensioners previously enrolled at the agencies in the disloyal States are omitted in official reports.

United States, has been attempted. By an act of Congress, approved February 4, 1862, the payment of any pension to one who has taken up arms against the government of the United States, or "in any manner encouraged the rebels, or manifested a sympathy with their cause," was effectually prohibited. Most of the appropriations for pensions, within the last four years, have been coupled with the proviso that no portion of the money thus appropriated should be paid to any disloyal person. The names of all pensioners, who were such prior to the rebellion, have been stricken from the rolls of the above-named States, and regulations have been adopted, in accordance with which those heretofore enrolled in those States, and able to prove their continued loyalty, in act and sympathy, throughout the war, may have their pensions restored. Pension agents have been appointed at Richmond, Virginia; Nashville and Knoxville, Tennessee; Little Rock, Arkansas, and New Orleans, Louisiana, at each of which places there are also many new pensioners, by reason of loyal service rendered in the late war. These agencies have been reopened as fast as there seemed to be a local requirement therefor, either to accommodate the limited number of restored pensioners or such as have been newly added to the rolls.

BOUNTY LAND.

The business of the bounty land division, during the last four years, has greatly diminished. The claims under the liberal act of March 3, 1855, have become nearly all satisfied, and no new legislation (save the supplementary act of May 14, 1856) has added to the number of claimants.

The whole number of land warrants issued during the year ending September 30, 1865, was 1,161, granting 184,560 acres of public land. Of this number, 5 of 160 acres each were granted under the act of February 11, 1847, one under the act of September 28, 1850, and the remainder under the acts of March 3, 1855, and May 14, 1856.

PENSION SURGEONS.

The subjoined list of examining surgeons, appointed in accordance with the provisions of the eighth section of the pension act of July 14, 1862, includes all those acting at this date:

Names.	States.	Counties.	Post office address.
A. L. Williams.....	Connecticut.....	Fairfield.....	Brookfield.
E. R. Barden.....	do.....	do.....	Danbury.
H. L. W. Burritt.....	do.....	do.....	Bridgeport.
Pinckney W. Ellsworth.....	do.....	Hartford.....	Hartford.
Rial Strickland.....	do.....	do.....	Enfield.
B. N. Comings.....	do.....	do.....	New Britain.
James Welch.....	do.....	Litchfield.....	West Winsted.
C. B. Maltbie.....	do.....	do.....	Falls Village.
Harmon W. Shove.....	do.....	do.....	Woodbury.
David E. Bostwick.....	do.....	do.....	Litchfield.
Miner C. Hazen.....	do.....	Middlesex.....	Haddam.
Rufus Baker.....	do.....	do.....	Middletown.
Henry Pierpont.....	do.....	New Haven.....	New Haven.
Robert M. Lord.....	do.....	New London.....	New London.
Ralph Farnsworth.....	do.....	do.....	Norwich.
John B. Lewis.....	do.....	Tolland.....	Rockville.
Stephen G. Risley.....	do.....	do.....	Do.
Samuel Hutchins.....	do.....	Windham.....	West Killingly.
George F. Woodward.....	California.....	San Francisco.....	San Francisco.
James Phillips.....	Dist. of Columbia.....	Washington.....	Washington.
Brower Gesner.....	do.....	do.....	Do.
Isaac Jump.....	Delaware.....	Kent.....	Dover.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office address.
James F. Wilson.....	Delaware	Newcastle	Wilmington.
D. W. Maull.....	do	do	Do.
Joseph Robbins.....	Illinois.	Adams	Quincy.
Moses F. Bassett.....	do	do	Do.
G. W. Barrett.....	do	Alexander	Cairo.
Jacques Ravold.....	do	Bond	Greenville.
George N. Woodward.....	do	Boone	Belvidere.
E. S. Blanchard.....	do	Bureau	Princeton.
C. C. Latimer.....	do	do	Do.
John L. Hostetter.....	do	Carroll	Mt. Carroll.
Winston Somers.....	do	Champaign	Urbana.
Fleming R. Payne.....	do	Clark	Marshall.
F. R. Pitner.....	do	Clay	Clay City.
James Portmess.....	do	do	Xenia.
John McCabe.....	do	Clinton	Carlyle.
Aaron Ferguson.....	do	Coles	Charleston.
V. R. Bridges.....	do	do	Mattoon.
Isaiah P. Lynn.....	do	Cook	Chicago.
R. L. Rea.....	do	do	Do.
Stephen D. Meserve.....	do	Crawford	Robinson.
S. T. Alling.....	do	Cumberland	Neoga.
Moses C. Kellogg.....	do	De Kalb	Genoa.
Isaac W. Garvin.....	do	do	Sycamore.
Nahum E. Ballou.....	do	do	Sandwich.
Levi L. Todd.....	do	Edgar	Paris.
L. W. Lowe.....	do	Edwards	Albion.
Lewis W. Smith.....	do	Effingham	Effingham.
Richard T. Higgins.....	do	Fayette	Vandalia.
S. Hamilton.....	do	Franklin	Frankfort.
Reuben R. McDowell.....	do	Fulton	Lewistown.
Joseph W. Redden.....	do	Gallatin	Shawneetown.
James B. Samuel.....	do	Greene	Carrollton.
Augustus F. Hand.....	do	Grundy	Morris.
E. D. Rathbone.....	do	Hamilton	McLeansboro'.
Charles Hay.....	do	Hancock	Warsaw.
C. M. Clark.....	do	Henry	Galva.
William C. Brown.....	do	do	Genesee.
John W. Lawrence.....	do	Jackson	Carbondale.
William J. Train.....	do	do	Murphysboro'.
John H. Maxwell.....	do	Jasper	Newton.
E. E. Welborn.....	do	Jefferson	Mt. Vernon.
Joseph O. Hamilton.....	do	Jersey	Jerseyville.
Benjamin F. Fowler.....	do	Jo Daviess	Galena.
George Bratton.....	do	Johnson	Vienna.
John H. Norris.....	do	do	Crimea.
O. D. Howell.....	do	Kane	Aurora.
D. W. Young.....	do	do	Do.
Joseph H. Way.....	do	Kankakee	Kankakee City.
J. W. Spalding.....	do	Knox	Galesburg.
Jason Duncan.....	do	do	Knoxville.
Benjamin S. Cory.....	do	Lake	Waukegan.
Chester Hard.....	do	La Salle	Ottawa.
C. M. Carter.....	do	Lawrence	Lawrenceville.
Oliver Everett.....	do	Lee	Dixon.
Samuel Sargent.....	do	Logan	Lincoln.
Richard D. Hammond.....	do	McDonough	Macomb.
Harmon A. Buck.....	do	McHenry	Marengo.
B. A. Wade.....	do	do	Woodstock.
Abner Hagar.....	do	do	Marengo.
Eli K. Crothers.....	do	McLean	Bloomington.
Henry Conkling.....	do	do	Do.
Ira B. Curtis.....	do	Macon	Decatur.
John T. Matthews.....	do	Macoupin	Carliuville.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office address.
A. B. McChesney	Illinois	Madison	Alton.
John H. Wier	do.	do.	Edwardsville.
John L. Hallam	do.	Marion	Centralia.
Walter D. Stillman	do.	Marshall	Lacon.
Isaac H. Reeder	do.	do.	Do.
James W. McCall	do.	Massac	Metropolis.
Thomas S. Stanway	do.	Mercer	New Boston.
John S. Hillis	do.	Montgomery	Hillsborough.
Henry Jones	do.	Morgan	Jacksonville.
William W. Burns	do.	Ogle	Polo.
Edward Dickinson	do.	Peoria	Peoria.
William N. Bottomly	do.	Perry	Tamaroa.
John McLean	do.	do.	Du Quoin.
Byron B. Jones	do.	Piatt	Monticello.
Benjamin Norris	do.	Pike	Pittsfield.
Alexander H. Kellogg	do.	Pulaski	Mound City.
Andrew B. Beattie	do.	Randolph	Red Bnd.
Cuthbert T. Jones	do.	do.	Chester.
Samuel McClure	do.	Richland	Olney.
Thomas Galt	do.	Rock Island	Rock Island.
Ferdinand Rubach	do.	St. Clair	Belleville.
John W. Mitchell	do.	Saline	Harrisburg.
Thomas S. Hening	do.	Sangamon	Springfield.
Charles S. Shelton	do.	do.	Do.
Enos Penwell	do.	Shelby	Shelbyville.
Thomas Hall	do.	Stark	Toulon.
Benjamin T. Buckley	do.	Stephenson	Freeport.
Elias C. De Puy	do.	do.	Do.
George W. Schuchard	do.	Union	Jonesboro'.
John J. Lescher	do.	Wabash	Mt. Carmel.
John A. Young	do.	Warren	Monmouth.
Elihu H. Henry	do.	Washington	Nashville.
John D. Cope	do.	Wayne	Fairfield.
Francis Ronalds	do.	White	Grayville.
Abisha S. Hudson	do.	Whitesides	Sterling.
James McCann	do.	Will	Joliet.
J. F. Daggert	do.	do.	Lockport.
Isaac M. Lewis	do.	Williamson	Marion.
Jabez B. Lyman	do.	Winnebago	Rockport.
Thomas T. Dorwin	Indiana	Adams	Decatur.
Benjamin S. Woodworth	do.	Allen	Fort Wayne.
Mathew H. Bonnel	do.	Boone	Lebanon.
J. M. Justice	do.	Cass	Logansport.
William F. Collum	do.	Clark	Jeffersonville.
Robert H. Culbertson	do.	Clay	Bowling Green.
W. P. Dunn	do.	Clinton	Frankfort.
John S. B. Kelso	do.	Crawford	Leavenworth.
John A. Scudder	do.	Daviess	Washington.
M. H. Harding	do.	Dearborn	Lawrenceburg.
John W. Moody	do.	Decatur	Greensburg.
Solomon Stough	do.	De Kalb	Waterloo City.
John C. Helm	do.	Delaware	Muncie.
Mathew Huber	do.	Dubois	Jasper.
David H. Henry	do.	Elkhart	Elkhart.
M. M. Latta	do.	do.	Goshen.
Samuel W. Vance	do.	Fayette	Connorsville.
William A. Clapp	do.	Floyd	New Albany.
William L. Wilson	do.	Fountain	Attica.
Hugh H. Patten	do.	Gibson	Princeton.
Milton Jay	do.	Grant	Marion.
James A. Minick	do.	Greene	Point Commerce.
Thomas T. Butler	do.	Hamilton	Noblesville.
John Slemmons	do.	Harrison	Corydon.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office address.
Henry Cox	Indiana	Hendricks	Danville.
Isaac Mendenhall	do	Henry	Newcastle.
George W. Riddell	do	do	Knightstown.
F. S. C. Grayston	do	Huntington	Huntington.
Amos Frost	do	Jackson	Seymour.
James H. Loughridge	do	Jasper	Rensselaer.
Manuel Reed	do	Jay	Jay.
J. G. Hendricks	do	Jefferson	Madison.
James C. Burt	do	Jennings	Vernon.
Samuel C. Whiting	do	Knox	Vincennes.
Silas C. Sapp	do	Kosciusko	Warsaw.
Leonard Barber	do	La Grange	Wolcott's Mills.
Harvey Pettibone	do	Lake	Crown Point.
Luther Brusie	do	Laporte	Laporte.
Townsend Ryan	do	Madison	Anderson.
George W. Mears	do	Marion	Indianapolis.
F. S. Newcomer	do	do	Do.
George W. Clippinger	do	do	Do.
Nehemiah Sherman	do	Marshall	Plymouth.
John H. Constant	do	Miami	Peru.
James F. Dodds	do	Monroe	Bloomington.
Milton Herndon	do	Montgomery	Crawfordsville.
B. D. Blackstone	do	Morgan	Martinville.
S. W. Lemmon	do	Noble	Albion.
Joshua T. Belles	do	Owen	Spencer.
S. B. Bushnell	do	Parke	Rockville.
William D. Thomas	do	do	Do.
George A. Torbet	do	Perry	Cannelton.
John F. McCarthy	do	Porter	Valparaiso.
Edwin V. Spencer	do	Posey	Mt. Vernon.
Samuel Fisher	do	Putnam	Greencastle.
J. R. Brown	do	Randolph	Winchester.
W. T. S. Cornett	do	Ripley	Versailles.
William A. Pugh	do	Rush	Rushville.
Daniel Dayton	do	St. Joseph	South Bend.
Isaac L. Milner	do	Spencer	Rockport.
C. D. Rice	do	Steuben	Angola.
E. S. Gale	do	Switzerland	Vevay.
Thomas Chesnut	do	Tippecanoe	Lafayette.
Benjamin J. Day	do	Vanderburg	Evansville.
J. C. Thompson	do	Vigo	Terre Haute.
Jason Holloway	do	Wabash	Wabash.
T. J. Johnson	do	Warrick	Boonville.
Harvey D. Henderson	do	Washington	Salem.
William Dickey	do	Wayne	Centerville.
Elias Fisher	do	do	Richmond.
I. H. Hedge	Iowa	Allamakee	Waukon.
William S. Boyd	do	Benton	Vinton.
S. N. Pierce	do	Black Hawk	Cedar Falls.
S. B. Williams	do	do	Waterloo.
B. F. McCarty	do	Boone	Boonsboro'.
John J. House	do	Buchanan	Independence.
J. F. Kennedy	do	Cedar	Tipton.
G. M. A. Brown	do	Chickasaw	Bradford.
E. M. Laws	do	Clarke	Oceola.
A. B. Hanna	do	Clayton	Elkader.
John Law	do	do	McGregor.
John E. Ennis	do	Clinton	Lyons.
A. B. Ireland	do	do	Casmanche.
William McK. Findley	do	Davis	Bloomfield.
John P. Finley	do	Decatur	Leon.
P. M. McLaren	do	Des Moines	Burlington.
R. S. Lewis	do	Dubuque	Dubuque.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office address.
C. C. Parker.....	Iowa.....	Fayette.....	Fayette.
J. N. Penn.....	do.....	Fremont.....	Sidney.
J. W. Smith.....	do.....	Floyd.....	Charles City.
E. B. Fenn.....	do.....	Guthrie.....	Guthrie Centre.
A. W. McClure.....	do.....	Henry.....	Mt. Pleasant.
Preston L. Lake.....	do.....	Jackson.....	Maquoketa City.
Richard J. Mohr.....	do.....	Jefferson.....	Fairfield.
Henry Murray.....	do.....	Johnson.....	Iowa City.
Horace H. Gates.....	do.....	Jones.....	Anamosa.
J. G. McGuire.....	do.....	do.....	Do.
H. W. Selby.....	do.....	Keokuk.....	Sigourney.
Edward Whinery.....	do.....	Lee.....	Fort Madison.
H. T. Cleaver.....	do.....	do.....	Keokuk.
Henry Ristine.....	do.....	Linn.....	Marion.
H. Howey.....	do.....	Louisa.....	Wapello.
H. W. Jay.....	do.....	Lucas.....	Chariton.
S. B. Cherry.....	do.....	Madison.....	Winterset.
D. A. Hoffman.....	do.....	Mahaska.....	Oskaloosa.
J. T. French.....	do.....	Marion.....	Knoxville.
James A. Donelan.....	do.....	Mills.....	Glenwood.
D. G. Frisbie.....	do.....	Mitchell.....	Mitchell.
W. B. Consins.....	do.....	Monroe.....	Albia.
Christian Hershe.....	do.....	Muscatine.....	Muscatine.
N. L. Van Sandt.....	do.....	Page.....	Clarinda.
Isaac Windle.....	do.....	Polk.....	Des Moines.
A. G. Field.....	do.....	do.....	Do.
Egbert S. Barrows.....	do.....	Scott.....	Davenport.
S. C. Rogers.....	do.....	Tama.....	Toledo.
William Craig.....	do.....	Van Buren.....	Keosauqua.
William Hilton.....	do.....	Wappello.....	Agency City.
William L. Orr.....	do.....	do.....	Ottumwa.
M. A. Dashiell.....	do.....	Warren.....	Hartford.
William McClelland.....	do.....	Washington.....	Washington.
John A. Blanchard.....	do.....	Webster.....	Fort Dodge.
H. C. Bullis.....	do.....	Winneshek.....	Decorah.
Stephen O. Himoe.....	Kansas.....	Bourbon.....	Fort Scott.
S. C. Harrington.....	do.....	Douglas.....	Lawrence.
Alonzo Fuller.....	do.....	do.....	Do.
Selden W. Jones.....	do.....	Leavenworth.....	Leavenworth.
John F. Newlon.....	do.....	Lyon.....	Emporia.
O. C. Bender.....	do.....	Linn.....	Mound City.
Charles J. Lee.....	do.....	Marshall.....	Marysville.
D. W. Stormont.....	do.....	Shawnee.....	Topeka.
William Feland.....	Kentucky.....	Christian.....	Hopkinsville.
J. L. Stockdell.....	do.....	Fayette.....	Lexington.
William C. Johnson.....	do.....	Grant.....	Williamstown.
William T. McNees.....	do.....	Harrison.....	Cynthiana.
T. H. Moore.....	do.....	Hopkins.....	Madisonville.
Thomas W. Colescott.....	do.....	Jefferson.....	Louisville.
E. J. Vaughan.....	do.....	do.....	Do.
J. J. Temple.....	do.....	Kenton.....	Covington.
R. C. Chenault.....	do.....	Madison.....	Richmond.
W. H. Hopper.....	do.....	Marion.....	Lebanon.
J. B. Sparks.....	do.....	Mercer.....	Harrodsburg.
William Phillips.....	do.....	Montgomery.....	Mt. Sterling.
J. F. McMillan.....	do.....	Nicholas.....	Carlisle.
James H. Barbour.....	do.....	Pendleton.....	Falmouth.
J. W. F. Parker.....	do.....	Pulaski.....	Somerset.
Stephen W. Brown.....	do.....	Rockcastle.....	Mt. Vernon.
Preston Peter.....	do.....	Washington.....	Springfield.
M. E. Webb.....	do.....	Warren.....	Bowling Green.
Alonzo Garcelon.....	Maine.....	Androscoggin.....	Lewiston.
Edward N. Mayo.....	do.....	Aroostook.....	Houlton.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States	Counties.	Post office address.
T. S. Foster	Maine	Cumberland	Brunswick.
Alfred Mitchell	do	do	Do.
William C. Robinson	do	do	Portland.
D. O. Perry	do	do	Do.
Thomas A. Foster	do	do	Do.
Nathaniel Pease	do	do	Bridgeton.
John N. Houghton	do	Franklin	Phillips.
Edmund Russell	do	do	Farmington.
P. H. Harding	do	Hancock	Ellsworth.
George Parcher	do	do	Do.
Frederick R. Swazey	do	do	Bucksport.
Stephen Whitmore	do	Kennebec	Gardiner.
James B. Bell	do	do	Augusta.
N. R. Boutelle	do	do	Waterville.
Charles N. Germaine	do	Knox	Rockland.
John B. Walker	do	do	Union.
Alden Blossom	do	Lincoln	Boothbay.
Samuel Ford	do	do	Newcastle.
D. Lowell Lamson	do	Oxford	Fryeburg.
Thomas H. Brown	do	do	Paris.
James C. Weston	do	Penobscot	Bangor.
Ralph K. Jones	do	do	Do.
Moses S. Wilson	do	do	Lincoln.
John Benson	do	do	Newport.
Luther Rogers	do	do	Patten.
Benjamin Johnson	do	Piscataquis	Dover.
John W. Cook	do	do	Foxcroft.
Israel Putnam	do	Sagadahock	Bath.
George A. Wheeler	do	do	Topsham.
Charles W. Snow	do	Somerset	Skowhegan.
John G. Brooks	do	Waldo	Belfast.
Samuel B. Hunter	do	Washington	East Machias.
L. P. Babb	do	do	Eastport.
A. G. Peabody	do	do	Machias.
Charles E. Swan	do	do	Calais.
Warren Hunter	do	do	Cherryfield.
A. R. Lincoln	do	do	Dennysville.
Theodore H. Jewett	do	York	South Berwick.
John L. Allen	do	do	Saco.
Horace D. Train	Massachusetts	Berkshire	Sheffield.
Eliphalet Wright	do	do	Lee.
George C. Lawrence	do	do	North Adams.
Oliver S. Root	do	do	Pittsfield.
Foster Hooper	do	Bristol	Fall River.
John H. Mackie	do	do	New Bedford.
Henry B. Hubbard	do	do	Taunton.
John Pierce	do	Dukes	Edgartown.
W. H. Burleigh	do	Essex	Lawrence.
Henry C. Perkins	do	do	Newburyport.
David Choate	do	do	Salem.
Kendall Flint	do	do	Haverhill.
Isaac F. Galloupe	do	do	Lynn.
Charles L. Fisk, jr.	do	Franklin	Greenfield.
Adam C. Deane	do	do	Do.
Edward Barton	do	do	Orange.
Cyrus Temple	do	do	Heath.
Peter L. B. Stickney	do	Hampden	Chicopee.
Alfred Lambert	do	do	Springfield.
James H. Waterman	do	do	Westfield.
William Holbrook	do	do	Palmer.
Samuel A. Fisk	do	Hampshire	Northampton.
Amos B. Baneroff	do	Middlesex	Charlestown.
Samuel Richardson	do	do	Watertown.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office address.
Alonzo Chapin.....	Massachusetts	Middlesex.....	Winchester.
Nathan Allen.....	do.	do.	Lowell.
J. Q. A. McCollister.....	do.	do.	Groton Junction.
Ward E. Wright.....	do.	do.	Cambridgeport.
Wm. M. Barrett.....	do.	do.	Ashland.
Alexander L. B. Monroe.....	do.	Norfolk	Medway.
Alexander Jackson.....	do.	Plymouth	Plymouth
James M. Underwood.....	do.	do.	Abington.
F. A. Sawyer.....	do.	do.	Wareham.
George Stevens Jones.....	do.	Suffolk	Boston.
S. L. Sprague.....	do.	do.	Do.
William H. Page.....	do.	do.	Do.
Charles W. Whitcomb.....	do.	Worcester	Barre.
Alfred Miller.....	do.	do.	Fitchburg.
George Jewett.....	do.	do.	Do.
Joshua Porter.....	do.	do.	North Brookfield.
Oramel Martin.....	do.	do.	Worcester.
Henry Clark.....	do.	do.	Do.
E. G. Burnett.....	do.	do.	Webster.
George M. Morse.....	do.	do.	Clinton.
John G. Metcalf.....	do.	do.	Mendon.
C. H. Ohr.....	Maryland	Alleghany	Cumberland.
George W. Wayson.....	do.	Baltimore	Baltimore.
Thomas Owings.....	do.	do.	Do.
W. M. Wright.....	do.	do.	Do.
J. Robert Ward.....	do.	do.	Govaustown.
Thomas K. Carroll.....	do.	Dorchester.	Cambridge.
Abram R. Calkins.....	Michigan	Allegan	Allegan.
Stillman Richardson.....	do.	Berrien	Niles.
Stephen S. Cutter.....	do.	Branch	Coldwater.
Artemas Doane.....	do.	Calhoun	Battle Creek.
Matthew Gill.....	do.	do.	Marshall.
Louis W. Fasnelle.....	do.	Clinton	St. Johns.
Charles N. Hayden.....	do.	Eaton	Eaton Rapids.
Seneca H. Gage.....	do.	do.	Bellevue.
Charles A. Merritt.....	do.	do.	Charlotte.
Daniel Clark.....	do.	Genesee	Flint.
John W. Falley.....	do.	Hillsdale	Hillsdale.
Abram S. Heaton.....	do.	Houghton	Hancock.
Ira H. Bartholomew.....	do.	Ingham	Laansing.
Joseph B. Hull.....	do.	do.	Do.
Enoch M. Winslow.....	do.	do.	Stockbridge.
William B. Thomas.....	do.	Ionis	Ionis.
Ira C. Backus.....	do.	Jackson	Jackson City.
Homer O. Hitchcock.....	do.	Kalamazoo	Kalamazoo.
J. W. Fisk.....	do.	do.	Do.
Erastus R. Ellis.....	do.	Kent	Grand Rapids.
Arvine Peck.....	do.	do.	Lowell.
William A. Jackson.....	do.	Lapeer	Lapeer.
E. P. Andrews.....	do.	Leauwee	Adrian.
Syene Hale.....	do.	do.	Hudson.
Robert C. Hutton.....	do.	Livingston	Howell.
Seth L. Andrews.....	do.	Macomb	Romeo.
Thomas W. Hitchcock.....	do.	do.	Mt. Clemens.
Morgan L. Hewitt.....	do.	Marquette	Marquette.
Edward Dorsch.....	do.	Monroe	Monroe.
S. R. Wooster.....	do.	Muskegon	Muskegon.
M. L. Green.....	do.	Oakland	Pontiac.
Jacob B. McNett.....	do.	Ottawa	Grand Haven.
Archax Farnsworth.....	do.	Saginaw	East Saginaw.
Cyrus M. Stockwell.....	do.	St. Clair	Port Huron.
William W. Anderson.....	do.	Sanilac	Lexington.
D. F. Alsdorf.....	do.	Shiawassee	Corunna.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office address.
Fayette Parsons.....	Michigan	St. Joseph.....	Burr Oak.
F. C. Bateman.....	do.	do.	Centreville.
S. L. Herrick.....	do.	do.	Three Rivers.
John T. Keables.....	do.	Van Buren.....	Decatur.
David A. Post.....	do.	Washtenaw.....	Ypsilanti.
Alexander Ewing.....	do.	do.	Dexter.
William F. Breaker.....	do.	do.	Ann Arbor.
James A. Brown.....	do.	Wayne.....	Detroit.
William R. McMahan.....	Minnesota.	Blue Earth.....	Mankato.
J. E. Finch.....	do.	Dakota.....	Hastings.
J. J. Everhard.....	do.	Dodge.....	Mantorville.
E. J. Kingsbury.....	do.	Fillmore.....	Spring Valley.
Albert C. Wedge.....	do.	Freeborn.....	Albert Lea.
Augustine B. Hawley.....	do.	Goodhue.....	Red Wing.
William A. Penniman.....	do.	Hennepin.....	Minneapolis.
A. E. Ames.....	do.	do.	Do.
Otis Ayer.....	do.	Le Sueur.....	Le Sueur.
E. C. Cross.....	do.	Olmstead.....	Rochester.
Samuel Willey.....	do.	Ramsey.....	St. Paul.
L. W. Dennison.....	do.	Rice.....	Faribault.
J. L. Wakefield.....	do.	Scott.....	Shakopee.
J. V. Wren.....	do.	Stearns.....	St. Cloud.
J. D. Wheelock.....	do.	do.	Do.
William L. Lincoln.....	do.	Wabasha.....	Wabasha.
Franklin Staples.....	do.	Winona.....	Winona.
William I. Heddens.....	Missouri	Buchanan.....	St. Joseph.
Wesley Jones.....	do.	do.	Do.
Patrick Gilroy.....	do.	Cape Girardeau.....	Cape Girardeau.
John H. Blue.....	do.	Chariton.....	Brunswick.
Richard A. Wells.....	do.	Cole.....	Jefferson City.
Henry S. Chenoweth.....	do.	Green.....	Springfield.
Dorastus Peck.....	do.	Iron.....	Ironton.
Johnston Lykens.....	do.	Jackson.....	Kansas City.
Thomas J. Montgomery.....	do.	Johnson.....	Warrensburg.
William P. Boulware.....	do.	Lafayette.....	Lexington.
Samuel Shook.....	do.	Linn.....	Laclede.
Chester F. Harris.....	do.	Macon.....	Macon City.
P. A. Heitz.....	do.	Marion.....	Palmyra.
W. D. Foster.....	do.	do.	Hannibal.
K. G. Smith.....	do.	Mercer.....	Princeton.
Mills T. Chastain.....	do.	Pettis.....	Sedalia.
L. A. Wilson.....	do.	Phelps.....	Rolla.
William Blair.....	do.	Randolph.....	Huntsville.
James B. Colegrove.....	do.	St. Louis.....	St. Louis.
Julian Bates.....	do.	do.	Do.
David B. Nelson.....	New Hampshire	Belknap.....	Gilford.
Andrew J. Thompson.....	do.	do.	Laconia.
Jeremiah R. Smith.....	do.	Carroll.....	Wolfborough.
William H. Grant.....	do.	do.	Tamworth.
Ebenezer Wilkinson.....	do.	do.	Do.
George W. Pierce.....	do.	Cheshire.....	Winchester.
Thomas B. Kittredge.....	do.	do.	Keene.
Jacob E. Stickney.....	do.	Coos.....	Lancaster.
Ira S. Chase.....	do.	Grafton.....	Bristol.
Phineas Spalding.....	do.	do.	Haverhill.
John A. Dana.....	do.	do.	Holderness.
John Clough.....	do.	do.	Lebanon.
Jesse A. Sanborn.....	do.	do.	Compton.
Charles H. Boynton.....	do.	do.	Lisbon.
Cyrus K. Kelley.....	do.	do.	Plymouth.
Francis P. Fitch.....	do.	Hillsborough.....	Amherst.
E. B. Carswell.....	do.	do.	East Wear.
Francis N. Gibson.....	do.	do.	New Ipswich.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office address.
William D. Buck.....	New Hampshire	Hillsborough	Manchester.
Evan B. Hammond.....	do	do	Nashua.
Daniel F. Frye.....	do	do	Francestown.
Albert Smith.....	do	do	Peterborough.
John H. Cutler.....	do	do	Mason Village.
Benjamin S. Warren.....	do	Merrimack	Concord.
R. P. J. Tenny.....	do	do	Pittsfield.
William G. Perry.....	do	Rockingham	Exeter.
William Perry.....	do	do	Do.
William Laighton.....	do	do	Portsmouth.
Abner B. Bennett.....	do	do	Do.
James H. Crombie.....	do	do	Derry.
James H. Wheeler.....	do	Strafford	Dover.
Samuel G. Jarvis.....	do	Sullivan	Claremont.
Thomas Sanborn.....	do	do	Newport.
Zachariah Read.....	New Jersey	Burlington	Mt. Holly.
Lorenzo F. Fidler.....	do	Camden	Camden.
Ephraim Holmes.....	do	Cumberland	Greenwich.
J. Henry Clark.....	do	Essex	Newark.
Lyndon A. Smith.....	do	do	Do.
Stephen Personett.....	do	do	Verona.
C. F. Clarke.....	do	Gloucester	Woodbury.
Charles Cook.....	do	Hudson	Jersey City.
Charles Hodge.....	do	Mercer	Trenton.
James B. Coleman.....	do	do	Do.
Azariah D. Newell.....	do	Middlesex	Brunswick.
R. E. Van Gieson.....	do	Monmouth	Freehold.
Lewis Fisher.....	do	Morris	Morristown.
Alexander W. Rogers.....	do	Passaic	Paterson.
Quinton Gibbon.....	do	Salem	Salem.
John R. Stuart.....	do	Sussex	Newton.
J. Q. Stearns.....	do	Union	Elizabeth.
Philip F. Brakeley.....	do	Warren	Belvidere.
William S. Cottrell.....	New York	Allegany	Whitesville.
Horace H. Nye.....	do	do	Wellsville.
John R. Hartshorn.....	do	do	Alfred.
C. M. Crandall.....	do	do	Belfast.
John S. Delavan.....	do	Albany	Albany.
William H. Craig.....	do	do	Do.
John G. Orton.....	do	Broome	Binghampton.
Oliver T. Buncly.....	do	do	Deposit.
Charles S. Hurlbut.....	do	Cattaraugus	Olean.
Thomas J. Williams.....	do	do	Ellicottville.
Orrin A. Tompkins.....	do	do	Randolph.
Edward Hall.....	do	Cayuga	Auburn.
S. Hiram Plumb.....	do	do	Victory.
Cyrus Powers.....	do	do	Moravia.
G. W. Hazeltine.....	do	Chautauqua	Jamestown.
Horace C. Taylor.....	do	do	Westfield.
C. K. Irwin.....	do	do	Dunkirk.
John K. Stanchfield.....	do	Chemung	Elmira.
Blinn S. Sill.....	do	Chenango	Bainbridge.
Augustus Willard.....	do	do	Greene.
Thomas J. Bailey.....	do	do	Norwich.
William N. Coit.....	do	Clinton	Champlain.
Abijah P. Cook.....	do	Columbia	Hudson.
H. C. Gazley.....	do	Cortland	Cortland.
H. N. Buckley.....	do	Delaware	Delhi.
Alfred Hasbrouck.....	do	Dutchess	Poughkeepsie
Horatio N. Loomis.....	do	Erie	Buffalo.
J. E. King.....	do	do	Do.
George B. Page.....	do	Essex	Crown Point.
William H. Richardson.....	do	do	Westport.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office address.
Theodore Gay.....	New York.....	Franklin.....	Malone.
Langdon J. Marvin.....	do.....	Fulton.....	Northampton.
William H. Johnson.....	do.....	do.....	Johnstown.
Marcus T. Peake.....	do.....	do.....	Gloversville.
Christopher V. Barnett.....	do.....	Greene.....	Windham Centre.
James Jewell.....	do.....	do.....	Catskill.
John Root.....	do.....	Genesee.....	Batavia.
Abram Haun.....	do.....	Herkimer.....	Little Falls.
Edward S. Lansing.....	do.....	Jefferson.....	Watertown.
J. C. Hutchison.....	do.....	Kings.....	Brooklyn.
Charles Rowland.....	do.....	do.....	Do.
Alexander R. Gebbie.....	do.....	Lewis.....	Lowville.
H. S. Hendee.....	do.....	do.....	Deer River.
Loren J. Ames.....	do.....	Livingston.....	Mt. Morris.
William B. Alley.....	do.....	do.....	Nunda.
Z. H. Blake.....	do.....	do.....	Dansville.
Ira Spencer.....	do.....	Madison.....	De Ruyter.
V. W. Mason.....	do.....	do.....	Canastota.
Peter B. Havens.....	do.....	do.....	Hanilton.
Stillman Spooner.....	do.....	do.....	Oneida.
Harvey F. Montgomery.....	do.....	Monroe.....	Rochester.
B. L. Hovey.....	do.....	do.....	Do.
Morgan Snyder.....	do.....	Montgomery.....	Fort Plain.
Jeremiah Snell.....	do.....	do.....	Port Jackson.
Israel I. Buckbee.....	do.....	do.....	Fonda.
William M. Chamberlain.....	do.....	New York.....	116 West 34th street, New York city.
James Neil.....	do.....	do.....	Harlem.
William H. Thomson.....	do.....	do.....	78 West 47th street, New York city.
Edward Bradley.....	do.....	do.....	55 West 24th street, New York city.
Thomas Franklin Smith.....	do.....	do.....	1 West 124th street, Harlem, N. Y. city
J. H. Helmer.....	do.....	Niagara.....	Lockport.
Horace B. Day.....	do.....	Oneida.....	Utica.
C. B. Coventry.....	do.....	do.....	Do.
Robert Frazier.....	do.....	do.....	Camden.
E. A. Munger.....	do.....	do.....	Waterville.
Delos A. Crane.....	do.....	do.....	Holland Patent.
Samuel O. Scudder.....	do.....	do.....	Rome.
J. V. Cobb.....	do.....	do.....	Do.
Edward Loomis.....	do.....	do.....	Whitestown.
George W. Cook.....	do.....	Onondaga.....	Syracuse.
Theodore Y. Kinne.....	do.....	do.....	Do.
John B. Chapin.....	do.....	Ontario.....	Canandaigua.
Hiram N. Eastman.....	do.....	do.....	Geneva.
Hazard A. Potter.....	do.....	do.....	Do.
William P. Townsend.....	do.....	Orange.....	Goshen.
D. W. Cooper.....	do.....	do.....	Port Jervis.
Edward E. Lee.....	do.....	do.....	Newburg.
James W. Randall.....	do.....	Orleans.....	Albion.
Charles C. P. Clark.....	do.....	Oswego.....	Oswego.
Horace Lathrop.....	do.....	Otsego.....	Cooperstown.
G. L. Halsey.....	do.....	do.....	Unadilla.
Samuel H. Case.....	do.....	do.....	Oneonta.
Edward E. Collins.....	do.....	do.....	Burlington.
Addison Ely.....	do.....	Putnam.....	Carmel.
Frederick D. Leute.....	do.....	do.....	Cold Spring.
William S. Searle.....	do.....	Remselaer.....	Troy.
Harvey W. Fowler.....	do.....	do.....	Hoosick Falls.
Abram S. Burdett.....	do.....	Richmond.....	Tompkinsville.
William O'Meagher.....	do.....	do.....	Do.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office address.
T. B. Smith	New York	Rockland	Tappan.
John L. Perry, jr.	do	Saratoga	Saratoga Springs.
Livingston Elwood	do	Schenectady	Schenectady.
Jacob Dockstader	do	Schoharie	Sharon Springs.
William Gulick	do	Schuyler	Watkins.
Rufus C. Dunham	do	Seneca	Seneca Falls.
Alexis H. Cruttenden	do	Steuben	Bath.
Frederick R. Wagner	do	do	Addison.
Joshua B. Graves	do	do	Corning.
C. D. Robinson	do	do	Hornellsville.
B. F. Sherman	do	St. Lawrence	Ogdensburg.
Samuel C. Wait	do	do	Gouverneur.
Henry C. Austin	do	do	Canton.
C. C. Bates	do	do	Potsdam.
Richard H. Benjamin	do	Suffolk	Riverhead, L. I.
Jacob L. Hasbrouck	do	Sullivan	Monticello.
Lucius H. Allen	do	Tioga	Owego.
Henry B. Chase	do	Tompkins	Ithaca.
Sumner Rhoades	do	do	Do.
Thomas S. Dawes	do	Ulster	Saugerties.
Abijah Otis	do	do	Ellenville.
William H. Miller	do	Washington	Sandy Hill.
Charles O. T. Gilman	do	do	Salen.
D. B. Dewey	do	do	Whitehall.
E. W. Howard	do	Warren	Warrensburg.
A. W. Holden	do	do	Glenn's Falls.
George B. Upham	do	Westchester	Yonkers.
Philander Stewart	do	do	Peekskill.
George J. Fisher	do	do	Sing Sing.
V. V. Elting	do	do	Tremont.
Nelson Peck	do	Wayne	Lyons.
Elisha H. Rockwood	do	do	Newark.
Charles A. Dake	do	Wyoming	Warsaw.
Dwight W. Day	do	do	Arcade.
Richard K. C. Bardwell	do	Yates	Penn Yan.
Porteus C. Gilbert	do	do	Rushville.
William H. Harper	Ohio	Allen	Lima.
C. M. Godfrey	do	do	Bluffton.
P. Henry Clark	do	Ashland	Ashland.
William M. Eames	do	Ashtabula	Ashtabula.
William Blackstone	do	Athens	Athens.
William G. Kishler	do	Auglaize	St. Mary's.
Alexander Hewetson	do	Belmont	St. Clairsville.
J. M. Todd	do	do	Bridgeport.
Thomas W. Gordon	do	Brown	Georgetown.
Joseph S. McNeeley	do	Butler	Hamilton.
Samuel M. Stockon	do	Carroll	Carrollton.
Joseph S. Carter	do	Champaign	Urbana.
John H. Rodgers	do	Clark	Springfield.
H. McCasky	do	Clermont	Batavia.
A. T. Davis	do	Clinton	Wilmington.
James Robertson	do	Columbiana	Hanoverton.
D. S. Silver	do	do	Wellsville.
Charles L. Fawcett	do	do	New Lisbon.
Enoch Sapp	do	Coshocton	Coshocton.
N. E. Hackedorn	do	Crawford	Galion.
W. R. S. Clarke	do	do	Bucyrus.
G. C. E. Weber	do	Cuyahoga	Cleveland.
Alonzo O. Blair	do	do	Do.
Curtis Otwell	do	Darke	Greenville.
I. N. Thacker	do	Defiance	Defiance.
Mathias Gerhard	do	Delaware	Delaware.
A. H. Agard	do	Erie	Sandusky.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office address.
Philip M. Waggoners	Ohio.	Fairfield	Lancaster.
Samuel M. Smith	do.	Franklin	Columbus.
William Ramsey	do.	Fulton	Delta.
George W. Livesey	do.	Gallia	Gallipolis.
L. A. Hamilton	do.	Geauga	Chardon.
Leigh McClung	do.	Green	Xenia.
Jared Dunbar	do.	Guernsey	Cambridge.
Henry M. Carver	do.	do.	Fairview.
Edward Mead	do.	Hamilton	Cincinnati.
William F. Tibbals	do.	do.	Do.
William Owens	do.	do.	Do.
H. D. Ballard	do.	Hancock	Finley.
W. H. Phillips	do.	Hardin	Kenton.
J. M. Shoemaker	do.	Henry	Napoleon.
N. H. Hixson	do.	Highland	Hillsborough.
G. W. Pullen	do.	Hocking	Logan.
Joel Pomeroy	do.	Holmes	Millersburg.
James B. Ford	do.	Huron	Norwalk.
Ira L. Babcock	do.	do.	Do.
A. B. Monohan	do.	Jackson	Jackson.
William D. McGregor	do.	Jefferson	Steubenville.
B. W. Pumphrey	do.	Knox	Mount Vernon.
Jonathan Morris	do.	Lawrence	Ironton.
L. T. Ballou	do.	Licking	Newark.
William D. Scarff	do.	Logan	Bellefontaine.
J. Strong, jr.	do.	Lorain	Elyria.
Alexander Steele	do.	do.	Oberlin.
S. S. Thorn	do.	Lucas	Toledo.
Dennis Warner	do.	Madison	London.
Eli Mygatt	do.	Mahoning	Poland.
Robert L. Swency	do.	Marion	Marion.
J. N. Robinson	do.	Medina	Medina.
Samuel Hudson	do.	do.	Do.
George K. Ackley	do.	Meigs	Pomeroy.
Samuel S. Gray	do.	Miami	Piqua.
R. J. Shackelford	do.	do.	Troy.
Samuel Grimeshaw	do.	Monroe	Woodsfield.
Adams Jewett	do.	Montgomery	Dayton.
A. S. Weatherby	do.	Morrow	Cardington.
C. C. Hildreth	do.	Muskingum	Zanesville.
T. A. Reany	do.	do.	Do.
J. M. C. Moorhead	do.	Noble	Caldwell.
Daniel W. Hixson	do.	Paulding	Paulding.
Nelson E. Jones	do.	Pickaway	Circleville.
Orlando J. Phelps	do.	Pike	Piketon.
Charles S. Leonard	do.	Portage	Ravenna.
E. Meendenhall	do.	Preble	Eaton.
C. B. Stemen	do.	Putnam	Kalida.
William Loughridge	do.	Richland	Mansfield.
William Waddle	do.	Ross	Chillicothe.
Thomas Stilwell	do.	Sandusky	Freemont.
William J. McDowell	do.	Scioto	Portsmouth.
John H. Hair	do.	Seneca	Fostoria.
F. E. Franklin	do.	do.	Tiffin.
Henry S. Conklin	do.	Shelby	Sidney.
Lorenzo M. Whiting	do.	Stark	Canton.
William Bowen	do.	Summit	Akron.
Thomas McEbright	do.	do.	Do.
Julian Harmon	do.	Trumbull	Warren.
John W. S. Goudy	do.	Tuscarawas	New Comerstown.
Thomas H. Smith	do.	do.	New Philadelphia.
J. W. Smith	do.	Union	Marysville.
William Smith	do.	Van Wert	Van Wert.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post offices.
A. E. Isaminger.....	Ohio.	Vinton	McArthur.
E. J. Tichenor.....	do.	Warren	Lebanon.
George O. Hildreth.....	do.	Washington	Marietta.
Thomas A. Smurr.....	do.	Wayne	Wooster.
William C. Morrison.....	do.	Williams	West Unity.
E. D. Peck.....	do.	Wood	Perrysburg.
George W. Sampson.....	do.	Wyandott.	McCutchenville.
Henry S. Huber.....	Pennsylvania	Adams	Gettysburg.
William M. Herron.....	do.	Allegheny	Allegheny City.
George McCook.....	do.	do.	Pittsburg.
J. M. Shaffer.....	do.	do.	Elizabeth.
D. N. Rankin.....	do.	do.	Allegheny City.
A. B. Otto.....	do.	Armstrong	Kittanning.
William J. Mullin.....	do.	Bedford	Schellsburg.
W. H. Watson.....	do.	do.	Bedford.
D. L. Beaver.....	do.	Berks	Reading.
George W. Smith.....	do.	Blair	Holidaysburg.
Charles M. Turner.....	do.	Bradford	Towanda.
Samuel Lovett.....	do.	Bucks	Attleboro'.
A. M. Neyman.....	do.	Butler	Butler.
John Lowman.....	do.	Cambria	Johnstown.
B. S. Gould.....	do.	Cameron	Shippensburg.
A. C. Smith.....	do.	Carbon	Mauch Chunk.
E. Green.....	do.	Centre	Bellefonte.
William S. Malauay.....	do.	Chester	West Chester.
D. W. Hutchison.....	do.	do.	Oxford.
James Ross.....	do.	Clarion	Clarion.
M. Woods.....	do.	Clearfield	Clearfield.
John T. Ray.....	do.	Crawford	Meadville.
James L. Dunn.....	do.	do.	Conneautville.
George O. Moody.....	do.	do.	Titusville.
Alexander Stewart.....	do.	Cumberland	Shippensburg.
J. C. Kinkle.....	do.	do.	Carlisle.
Samuel T. Charlton.....	do.	Dauphin	Harrisburg.
C. A. Rahter.....	do.	do.	Do.
Manly Emanuel.....	do.	Delaware	Linwood Station.
Dennis D. Loop.....	do.	Erie	North East.
James L. Stewart.....	do.	do.	Erie.
George C. Ewing.....	do.	Fayette	Uniontown.
J. L. Suesserott.....	do.	Franklin	Chambersburg.
W. D. Rogers.....	do.	Greene	Jefferson.
Thomas C. Hawkins.....	do.	do.	Waynesburg.
C. W. Moore.....	do.	Huntingdon	Coalmont.
John McCulloch.....	do.	do.	Huntingdon.
Edmund Snare.....	do.	do.	Do.
Martin L. Miller.....	do.	Indiana	Blairsville.
George R. Lewis.....	do.	do.	Indiana.
W. J. McKnight.....	do.	Jefferson	Brookville.
Peter C. Rundio.....	do.	Juniata	Patterson.
Peter S. Clinger.....	do.	Lancaster	Conestoga.
Daniel J. Bruner.....	do.	do.	Columbia.
A. R. McClure.....	do.	Lawrence	Newcastle.
W. M. Guilford.....	do.	Lebanon	Lebanon.
George P. Lineaweaver.....	do.	do.	North Lebanon.
William J. Rouig.....	do.	Lehigh	Allentown.
Henry Roberts.....	do.	Luzerne	Providence.
George W. Masser.....	do.	do.	Seranton.
John S. Crawford.....	do.	Lycoming	Williamsport.
Jedidiah Darling.....	do.	McKean	Smithport.
Cornelius Byles.....	do.	Mercer	Delaware Grove
John P. Hosack.....	do.	do.	Mercer.
David D. Mahon.....	do.	Mifflin	Newton Hamilton.
A. Reeves Jackson.....	do.	Monroe	Stroudsburg.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office.
William Carson	Pennsylvania	Montgomery ..	Norristown.
Robert S. Simington	do	Montour	Danville.
Edward Swift	do	Northampton ..	Easton.
Daniel W. Shindel	do	Northumberland ..	Sunbury.
James Galbraith	do	Perry	Landisburg.
Wilson Jewell	do	Philadelphia ..	Philadelphia.
J. K. Lee	do	do	Do.
James Cumniskey	do	do	Do.
Joseph H. Gallagher	do	do	Do.
James H. Oliver	do	do	Do.
Edward A. Smith	do	do	Do.
Thomas B. Reed	do	do	Do.
Alexander C. Hart	do	do	Do.
J. G. Koehler	do	Schuylkill	Schuylkill Haven.
Peter R. Wagenseller	do	Snyder	Selin's Grove.
Henry Brubaker	do	Somerset	Somerset.
Ezra Patrick	do	Susquehanna ..	Montrose.
Calvin C. Halsey	do	do	Do.
Ira W. Bellows	do	Tioga	Knoxville.
Nelson Packer	do	do	Wellsville.
Samuel L. Beck	do	Union	Lewisburg.
J. M. Dill	do	Venango	Cooperstown.
D. V. Stranahan	do	Warren	Warren.
William H. King	do	Washington	Monongahela City.
John R. Wilson	do	do	Washington.
William H. Reed	do	Wayne	Honesdale.
J. W. Blackburn	do	Westmoreland ..	West Newton.
James W. Anawalt	do	do	Greensburg.
Charles H. Dana	do	Wyoming	Tunkhannock.
William S. Roland	do	York	York.
Theodore C. Dunn	Rhode Island	Newport	Newport.
William T. Okie	do	do	Do.
Charles G. McKnight	do	Providence	Providence.
Jacob B. Mitchell	Tennessee	Davidson	Nashville.
J. M. Kercheval	do	do	Do.
R. P. Mitchell	do	Hawkins	Rogersville.
A. A. Caldwell	do	Jefferson	Strawberry Plains.
J. C. Cawood	do	do	Dandridge.
James Rogers	do	Knox	Knoxville.
Thomas W. Harris	do	Madison	Jackson.
W. W. Alexander	do	McMinn	Athens.
Albert T. Lea	do	Roane	Kingston.
Christopher Wheeler	do	Washington	Jonesboro'.
Marcus O. Porter	Vermont	Addison	Middlebury.
Erasmus D. Warner	do	do	New Haven Mills.
Nathan Gale	do	do	Orwell.
Martin J. Love	do	Bennington	Bennington.
George L. Ames	do	do	Manchester.
Gates B. Bullard	do	Caledonia	St. Johnsbury.
Charles S. Cahoon	do	do	Lyndon.
Hiram H. Atwater	do	Chittenden	Burlington.
Oscar F. Fassett	do	Franklin	East Berkshire.
H. F. Stevens	do	do	St. Albans.
Horace Powers	do	Lamoille	Morrisville.
Edward F. Upham	do	Orange	West Randolph
Norman W. Braley	do	do	Chelsea.
H. H. Niles	do	do	Post Mills.
John Poole	do	do	Bradford.
E. V. Watkins	do	do	Newbury.
Jonathan F. Skinner	do	Orleans	Barton.
Lemuel Richmond	do	do	Derby Line.
Cyrus Porter	do	Rutland	Rutland.
Charles L. Allen	do	do	Do.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office.
L. Dewey Ross	Vermont	Rutland	Poultney.
Olin G. Dyer	do.	do.	Brandon.
C. M. Rublee	do.	Washington	Montpelier.
George F. Gale	do.	Windham	Brattleboro'.
Carlton P. Frost	do.	do.	Do.
D. W. Hazelton	do.	Windsor	Cavendish.
Shubael Converse	do.	do.	Norwich.
William McCollom	do.	do.	Woodstock.
Samuel P. Danforth	do.	do.	Royalton.
Walter S. Robinson	do.	do.	Felchville.
William A. Chapin	do.	do.	Ludlow.
James E. Morse	do.	do.	Royalton.
William Draine	Virginia	Norfolk	Portsmouth.
E. W. Buck	do.	Berkeley	Martinsburg.
S. P. Bryan	do.	Harrison	Clarksburg.
James Putney	West Virginia	Kanawha	Kanawha Saline.
James E. Reeves	do.	Marion	Fairmont.
James H. Hoeff	do.	Mason	Point Pleasant.
Joseph A. McLane	do.	Monongalia	Morgantown.
John C. Hupp	do.	Ohio	Wheeling.
William J. Bates	do.	do.	Do.
R. W. Hazlett	do.	do.	Do.
Thomas Kennedy	do.	Taylor	Grafton.
Rezin P. Davis	do.	Wood	Parkersburg.
S. E. Webster	Wisconsin	Adams	Friendship.
Uriel H. Peak	do.	Brown	Fort Howard.
Marvin Waterhouse	do.	Columbia	Portage City.
Robert W. Earle	do.	do.	Columbus.
John Conant	do.	Crawford	Prairie du Chien.
Joseph Hobbins	do.	Dane	Madison.
A. M. Duntun	do.	Dodge	Beaver Dam.
William T. Galloway	do.	Eau Claire	Eau Claire.
William H. Walker	do.	Fond du Lac	Fond du Lac.
J. H. Hyde	do.	Grant	Lancaster.
J. M. Ball	do.	Green	Monroe.
Stephen G. Lombard	do.	do.	Do.
George W. Burrall	do.	Iowa	Dodgeville.
John H. Vivian	do.	do.	Mineral Point.
S. F. S. Wason	do.	Jackson	Black River Falls.
W. W. Reed	do.	Jefferson	Jefferson.
William C. Spalding	do.	do.	Watertown.
D. C. Green	do.	Juneau	Mauston.
John Gridley	do.	Kenosha	Kenosha.
D. D. Cameron	do.	La Crosse	La Crosse.
D. T. Abell	do.	Lafayette	Darlington.
J. E. Thayer	do.	Marathon	Wausau.
N. Monroe Dodson	do.	Marquette	Berlin.
James Diefendorf	do.	Milwaukee	Milwaukee.
George W. Perrine	do.	do.	Do.
Jesse Bennett	do.	Monroe	Sparta.
Sidney L. Fuller	do.	Ontagami	Appleton.
William F. Fisher	do.	Ozaukee	Ozaukee.
John T. Scholl	do.	do.	Do.
A. D. Andrews	do.	Pierce	River Falls.
John Phillips	do.	Portage	Stevens's Point.
Philo R. Hoy	do.	Racine	Racine.
Daniel L. Downs	do.	Richland	Richland Centre.
Lyman J. Barrows	do.	Rock	Jamesville.
Henry McKennau	do.	Sauk	Sauk City.
Charles Cowles	do.	do.	Burabou.
L. D. McIntosh	do.	Sheboygan	Sheboygan.
D. D. T. Hamlin	do.	Walworth	Elkhorn.
George F. Hunt	do.	Washington	West Bend.

LIST OF EXAMINING SURGEONS—Continued.

Names.	States.	Counties.	Post office.
George R. Taylor.....	Wisconsin	Waupaca	Waupaca.
A. P. Barber.....	do.....	Winnebago	Oshkosh.
Ansel F. Bowen.....	do.....	do.....	Neenah.
G. F. Witter.....	do.....	Wood	Grand Rapids.
George Kellogg.....	Louisiana	Orleans	New Orleans.
George A. Blake.....	do.....	do.....	Do.
P. B. Rice.....	North Carolina	Craven	Newbern.
Roscoe G. Jennings.....	Arkansas	Pulaski	Little Rock.
Dean W. King.....	Colorado Ter	Clear Creek	Empire City.
William S. Latta.....	Nebraska Ter.....	Cass	Rock Bluffs.
G. C. Monell.....	do.....	Douglas	Omaha.
John F. Neill.....	do.....	Nemaha	Peru.
Henry O. Hanna.....	do.....	Richardson.....	Falls City.

In my last annual report reference was made to the desirableness of some method of securing greater uniformity in estimating the disabilities of invalid pensioners and claimants. The right of a discharged soldier or seaman to be pensioned at all, for a disability really existing, must in many cases depend upon questions properly to be determined by the examining surgeon. The highest order of professional qualification is often requisite to a sound and reliable opinion on cases presented. In the designation of physicians and surgeons for the performance of these duties, it has been my aim to secure the best available aid. For the sake of uniformity, however, and for the purpose of a professional supervision in these examinations, as well as for the settlement of questions requiring thorough education and experience in medicine and surgery as they arise in the adjudication of pension claims, it is suggested that a consulting and supervising surgeon might profitably be provided for, whose services shall be rendered in this bureau. The obvious advantages of such an officer would, no doubt, secure favorable action, should the subject be brought to the notice of Congress. In default of particular legislation to this end, the detail of an experienced surgeon now in the service would probably be made, if requested of the proper department.

The preparation of a scale of disabilities, proposed in my last report, to be intrusted to a commission of surgeons, would perhaps be equally well accomplished through the aid of an officer appointed as above indicated. This still seems to me an object worthy of attention, although so large a portion of the claims to be affected thereby have already been adjusted.

The power conferred on me by the eighth section of the act of July 4, 1864, to order special examinations of enrolled pensioners, as justice might seem to require, has been exercised with undoubted advantage to the government in many instances, and has sometimes secured to the pensioner a higher rate, to which he was fairly entitled. Special examinations have frequently been required annually or semi-annually, by the insertion of a clause to that effect in the pension certificates in cases of manifestly temporary and variable disability. In other instances, a surgeon has been specially detailed to investigate and report upon the merits of cases as to which reasonable doubts had arisen, either as to the existence of any disability or its degree. This action has tended to correct any departures from uniformity in estimating the rates of disability, and to correct erroneous allowances, either through inadvertence or through inaccuracies in testimony.

PENSION NOTARIES.

Only a very limited number of pension notaries have been designated for the accommodation of applicants residing at a distance from any place at which a court of record is held, the third section of the act of July 4, 1864, which confers this authority, having restricted its exercise to localities more than twenty-five miles distant from such court. In many instances the absolute requirement that the declaration be made before some officer of a court of record, with only the exception just stated, seems to be a hardship to claimants, and especially to the sick and infirm. A modification of the law for the benefit of such claimants, leaving a wider discretion as to the designation of pension notaries, would afford a desirable remedy for the evil.

THE COLLECTION OF PENSIONS.

Numerous complaints have been made to this office of exorbitant charges by attorneys for their services in the semi-annual drawing of pensions. Blanks are furnished, without expense, to all pensioners who desire them, for the execution of the requisite vouchers, and they can be readily made out by any intelligent person who can read and write, requiring only the expense of fees for administering the oaths required. The sum of from two to five dollars for filling out one of these blanks and transmitting the voucher to the agency has, nevertheless, been exacted every six months by many attorneys, who, availing themselves of the ignorance of the pensioner, retain numbers of pension certificates in their custody, permitting the impression that their services are indispensable to their clients. This practice has been partly broken up by requiring pensioners residing near the agency at which they are paid to present themselves in person with their certificates, without the intervention of an attorney. But the evil can only be partially remedied by administrative action. A stringent law in regard to fees for the collection of pensions, no less than for procuring the allowance of a pension claim as already enacted, would seem to be indispensable to protect those pensioners residing at a distance from the agency where they are paid, from these exactions.

For administering the necessary oaths to pensioners or their attorneys, pension agents are allowed by congressional statute the fees fixed by the local law for like services. Beyond this, under your order of the 21st ultimo, disbursing agents will not hereafter be permitted to charge any fee for filling out the necessary vouchers for pensioners. It is obvious that the small semi-annual stipend allowed to pensioners should reach them as promptly and with as little cost as possible, and it is in accordance with the spirit of our pension system to protect all pensioners, so far as may be necessary, from the diversion or retention of any portion of the periodical sums granted them.

NAVY PENSION FUND.

The amount of the navy pension fund, invested in gold-bearing bonds of the United States, under the direction of the Secretary of the Navy, as trustee, is \$9,000,000. There is now on hand of this fund, subject to use as may be required, or to investment, the sum of \$1,395,114 31. The annual income from the portion invested is now more than double what is required for the payment of navy pensions of all kinds, regardless of the difference in value between coin and paper currency. While it would appear that this fund is equitably liable for all classes of navy pensions alike, the act by which it is created specified invalids of the navy alone. Further legislative action, therefore, is necessary in order to make the fund available for the largest class of navy pensions.

GENERAL REMARKS.

From the estimates for the fiscal year ending June 30, 1867, heretofore submitted in a separate report, it will be seen that a sum exceeding \$15,000,000 is believed to be necessary for the payment of pensioners for that year. The applications for pensions during the first quarter of the current fiscal year have exceeded in number those of any previous quarter since the commencement of the late war. The number of claims now on file, and the probable number hereafter to be filed, are such as to justify the opinion that the pension list will continue to enlarge at a rate considerably exceeding the diminutions from deaths and other causes for at least three years to come. The maximum yearly amount of pensions thus attained can hardly be less than \$18,000,000. In four or five years a material falling off from this maximum may be anticipated, in the absence of hostilities.

In view of the magnitude of the interests involved, the most complete and effective organization of this branch of the department practicable is manifestly desirable. For this purpose, not only the experience of our own government, but also that of the older nations of Europe, may profitably be taken into account in giving symmetry and efficiency to our system. Little information on this subject from abroad, however, has been found attainable through the medium of official reports, compilations of laws or treatises, beyond the merest outline. Personal inspection of the practical working of the European systems, and a thorough and intelligent report thereon, either through the medium of consular agents abroad or of a special commission sent out for that purpose, would seem to be essential for the attainment of the detailed information desired. The cost would be trivial compared with the benefits to be anticipated from such observation properly made and reported.

While there has been no diminution in the business of this office, but rather a continued increase hitherto, there is at present no demand for additional clerical service, nor is such demand anticipated before the date at which a decrease in the number of new applications will commence. It gives me pleasure to recognize the hearty co-operation and constant assiduity which have generally characterized the labors of those employed in this bureau, and to refer to the results of the past year as evidence of the skill with which these services have been rendered. All pension claims, properly prepared and substantiated, have been allowed with a reasonable degree of promptitude, and the business of this bureau is generally in a satisfactory condition.

Very respectfully, yours,

JOSEPH H. BARRETT,
Commissioner.

HON. JAMES HARLAN,
Secretary of the Interior.

A--Statement of the number and yearly amount of original applications and for increase of army pensions admitted in each State and Territory for the year ending June 30, 1865.

States.	Invalids.			Revolutionary soldiers.			Revolutionary widows.			Widows, children, mothers, and sisters.		
	Original.			Increase.			Original.			Original.		
	No.	Yearly amount.	No.	Yearly amount.	No.	Yearly amount.	No.	Yearly amount.	No.	Yearly amount.	No.	Yearly amount.
Connecticut	253	\$19,812 00	7	\$376 00					444	\$46,728 00	1	\$6 00
California	2	15,192 00								19,094 00		
District of Columbia	162	2,419 00	1	204 00						6,169 00		
Delaware	29	66,689 60	13	304 00						181,144 00		
Illinois	1,095	114,840 00	30	2,060 00			1	\$53 33	1,761	292,655 00		
Indiana	1,421	53,279 00	10	768 00					2,745	113,604 00		
Iowa	423	21,711 00	9	506 00					1,072	59,814 00	1	6 00
Kentucky	249	5,100 00	2	108 00					573	10,728 00		
Kansas	885	75,036 72	17	684 00	1	\$300 00			1,989	131,648 00	1	6 00
Maryland	1,908	92,995 64	41	2,362 00			1	80 00	1,705	176,068 00		
Massachusetts	101	9,185 00	3	252 00					296	94,328 00	1	6 00
Michigan	773	21,494 00	9	676 00					680	60,384 00		
Minnesota	717	53,621 80	18	598 00					1,977	130,715 00	4	24 00
Mississippi	71	5,508 00	6	268 00					144	15,348 00		
New Hampshire	448	34,223 00	9	290 00					734	76,404 00		
New Jersey	2,417	200,798 70	37	2,131 00	3	\$900 00	1	80 00	3,828	397,744 00		
New York	347	28,864 00	8	680 00				50 00	689	72,660 00	2	12 00
Nebraska Territory	36	424 00							5	480 00		
Ohio	1,528	124,666 04	42	2,124 00					2,505	263,065 00	1	6 00
Pennsylvania	2,251	175,270 86	67	3,027 00			1	30.43	2,794	269,626 00	2	12 00
Rhode Island	96	7,682 64	3	223 00					2,227	23,424 00		
Vermont	366	23,483 80	19	824 00					473	49,248 00	1	6 00
West Virginia	142	11,360 00	2	128 00					468	46,390 00		
Wisconsin	369	31,490 00	12	408 00					1,092	113,184 00		
Washington Territory			1	102 00					1	204 00		
Increased cases	14,962	1,200,812 90	366	19,973 00	4	1,200 00	5	283 76	24,623	2,574,085 00	14	84 00
Total	15,328	1,220,785 90					9	1,483 76	24,707	2,574,179 00		

* Increased by act of Congress.

B.—Statement of the amount paid for army pensions in the several States and Territories for the year ending June 30, 1865.

States and Territories.	Invalid.	Revolutionary soldiers and widows.	Widows, children, mothers, and sisters in other wars.	Total.
Connecticut.....	\$33,853 12	\$9,649 22	\$131,793 18	\$175,295 52
California.....	3,873 27	111 47	1,671 00	*5,655 74
District of Columbia.....	36,134 01	5,049 21	36,894 89	80,088 11
Delaware.....	2,988 89	342 35	11,778 14	15,109 38
Indiana.....	144,333 83	11,087 85	434,321 96	589,743 64
Illinois.....	206,177 34	13,828 68	656,565 42	876,571 44
Iowa.....	70,184 96	7,303 21	282,378 73	359,866 90
Kentucky.....	34,871 08	8,734 05	151,943 42	195,548 55
Kansas.....	10,646 06	649 34	21,844 66	33,140 06
Maine.....	69,857 61	14,568 37	231,905 23	346,331 21
Massachusetts.....	176,280 31	11,638 96	426,512 53	614,431 82
Maryland.....	15,529 16	3,431 73	45,485 98	64,446 87
Missouri.....	47,303 71	3,786 04	164,282 45	215,369 20
Michigan.....	105,240 26	4,736 56	286,191 76	376,170 58
Minnesota.....	13,448 83	847 15	22,664 97	36,960 95
New Hampshire.....	70,465 03	10,834 38	172,971 59	254,271 00
New York.....	347,140 62	34,555 58	847,353 57	1,229,049 77
New Jersey.....	52,387 35	8,167 67	164,389 90	224,944 92
Nebraska Territory.....	446 27	42 33	1,389 00	1,877 60
Ohio.....	238,529 55	20,451 53	701,897 68	*960,878 76
Oregon.....	867 20	17 14	.....	884 34
Pennsylvania.....	296,233 17	13,737 12	692,089 36	1,002,059 65
Rhode Island.....	14,417 00	3,499 95	52,354 83	70,271 78
Vermont.....	57,556 90	11,261 63	105,935 94	174,754 47
West Virginia.....	19,821 72	4,321 33	68,597 71	190,740 76
Wisconsin.....	62,258 82	6,400 73	223,327 46	291,987 01
Washington Territory.....	1,254 38	25 08	.....	1,279 46
Total.....	2,166,090 45	209,080 68	5,944,501 36	8,319,672 49

* Returns from California only to May 1, 1865, and the late agent at Cincinnati, Ohio, has made no returns for March and part of April, 1865, but those two months are estimated in this table.

C.—Statement of the number and yearly amount of original applications and for increase of navy pensions admitted in each State and Territory for the year ending June 30, 1865.

State.	Invalid.				Widows, children, mothers, and sisters.	
	Original.		Increase.		Original.	
	No.	Yearly amount.	No.	Yearly amount.	No.	Yearly amount.
Connecticut.....	.....	.....	.....	.....	.....	\$312 00
District of Columbia.....	6	\$488 00	.....	.....	9	1,836 00
Illinois.....	8	672 00	1	\$15 00	4	672 00
Kentucky.....	5	320 00	.....	.....	1	360 00
Maine.....	9	864 00	.....	.....	18	1,992 00
Massachusetts.....	53	4,008 00	5	164 00	57	6,864 00
Maryland.....	11	776 00	.....	.....	8	924 00
Missouri.....	6	488 00	.....	.....	2	216 00
Michigan.....	1	24 00	.....	.....	7	696 00
New Hampshire.....	10	888 00	1	48 00	6	1,260 00
New York.....	83	6,356 00	.....	.....	71	10,164 00
New Jersey.....	1	48 00	.....	.....	3	312 00
Ohio.....	7	540 00	.....	.....	12	1,416 00
Pennsylvania.....	46	3,354 00	.....	.....	58	7,080 00
Rhode Island.....	2	192 00	.....	.....	5	1,092 00
Wisconsin.....	.....	.....	.....	.....	2	192 00
Increase.....	250	19,018 00	7	227 00	.....	.....
Total.....	257	19,245 00	.....	.....	266	35,328 00

D.—Statement of the amount of funds in the hands of agents for paying army pensions on the 30th day of June, 1865.

State.	Town.	Name of agent.	Amount.
Connecticut.....	Hartford.....	Guy R. Phelps.....	\$27,742 79
California.....	San Francisco.....	John F. Swift.....	765 97
District of Columbia.....	Washington.....	Robert Clarke.....	1,062 72
Delaware.....	Dover.....	David F. Burton.....	2,890 62
Indiana.....	Indianapolis.....	John W. Ray.....	7,742 71
	Madison.....	Mark Tilton.....	13,896 54
	Fort Wayne.....	Solomon D. Bayless.....	15,032 25
Illinois.....	Springfield.....	John W. Bunn.....	75,140 22
	Chicago.....	Lewis H. Davis.....	26,317 90
	Centralia.....	Carson D. Hay.....	51,562 78
Iowa.....	Des Moines.....	Peter Myers.....	7,632 74
	Fairfield.....	David B. Willson.....	27,202 54
	Dubuque.....	George L. Matthews.....	4,224 22
Kentucky.....	Louisville.....	Edward F. Gallagher.....	24,102 97
Kansas.....	Leavenworth.....	John C. Douglass.....	9,170 34
Maine.....	Augusta.....	Charles F. Potter.....	14,490 62
	Portland.....	Henry Willis.....	23,269 79
Massachusetts.....	Boston.....	George C. Trumbull.....	67,772 51
Maryland.....	Baltimore.....	John Clark.....	20,383 56
Missouri.....	St. Louis.....	Horatio Wood.....	56,813 70
Michigan.....	Detroit.....	Thomas J. Noyes.....	32,424 18
Minnesota.....	St. Paul.....	Robert P. Lewis.....	13,594 44
New Hampshire.....	Concord.....	David Cross.....	43,191 23
	Portsmouth.....	James H. Shapley.....	8,943 23
New York.....	Albany.....	Deodatus Wright.....	57,707 92
	New York City.....	Alpheus Fobes.....	52,207 98
	Canandaigua.....	Leander M. Drury.....	23,775 13
New Jersey.....	Trenton.....	Robert C. Belville.....	32,190 96
Nebraska Territory.....	Omaha.....	Benjamin M. Trumbull.....	1,418 47
Ohio.....	Columbus.....	Joe W. Dwyer.....	45,660 16
	Cincinnati.....	Robert S. Smith.....	91,551 13
	Cleveland.....	August Thieme.....	24,710 40
Oregon.....	Oregon City.....	William T. Matlock.....	641 40
Pennsylvania.....	Philadelphia.....	Erastus Poulson.....	134,244 42
	Pittsburg.....	William K. Pierce.....	61,322 52
Rhode Island.....	Providence.....	William C. Townsend.....	19,219 92
Vermont.....	Rutland.....	Newton Kellogg.....	6,365 74
	St. Johnsbury.....	Edward C. Redington.....	1,905 40
West Virginia.....	Wheeling.....	Nathaniel C. Arthur.....	36,521 74
Wisconsin.....	Madison.....	Chauncey Abbott.....	40,136 92
	Milwaukee.....	Jeremiah B. Selby, jr.....	47,622 92
Washington Territory.....	Vancouver.....	Samuel W. Brown.....	1,263 96
Total.....			1,274,137 64

* Returns only to May 1, 1865.

E.—Statement of the amount of navy pensions paid at the agencies in the several States and Territories for the year ending June 30, 1865.

States.	Invalid.	Widows, children, mothers, and sisters.	Total.
Connecticut.....	\$73 67	\$4,225 80	\$4,299 47
California.....	154 08	360 00	514 08
District of Columbia.....	3,369 60	19,054 38	22,423 98
Illinois.....	811 19	1,537 54	2,348 73
Kentucky.....	90 07	607 50	697 57
Maine.....	999 77	2,956 79	3,956 56
Massachusetts.....	8,399 67	32,978 81	41,378 48
Maryland.....	2,261 54	9,592 02	11,853 56
Missouri.....	624 37	1,579 06	2,273 43
Michigan.....	322 40	814 20	1,136 60
Minnesota.....	76 50	.....	76 50
New Hampshire.....	1,880 31	2,103 32	3,983 63
New York.....	12,003 17	49,095 11	61,098 28
New Jersey.....	90 67	1,104 46	1,195 13
Ohio.....	448 76	5,562 74	6,031 50
Pennsylvania.....	6,946 72	28,975 43	35,922 15
Rhode Island.....	565 52	4,623 72	5,189 24
Wisconsin.....	195 00	38 13	233 13
Naval Asylum.....	868 60	.....	868 60
Total.....	40,251 61	165,229 01	205,480 62

F.—Statement of the number and yearly amount of army pensions on the rolls in the several States and Territories on the 30th day of June, 1865.

States.	Invalids.		Revolutionary soldiers and widows.		Widows, children, mothers, and sisters of other wars.		Total.	
	No.	Yearly am't.	No.	Yearly am't.	No.	Yearly am't.	No.	Yearly am't.
Connecticut	607	\$44, 146 08	73	\$6, 069 83	1, 036	\$111, 420 00	1, 716	\$161, 635 91
California	38	3, 112 00	.....	.....	7	1, 158 00	45	4, 270 00
District of Columbia	478	37, 353 00	8	2, 050 33	234	33, 316 00	720	72, 718 33
Delaware	85	5, 386 00	1	80 00	113	11, 802 00	199	17, 268 00
Indiana	2, 312	169, 651 92	23	1, 773 59	3, 262	334, 604 00	5, 597	506, 029 51
Illinois	3, 343	255, 701 28	33	2, 353 56	5, 030	540, 798 00	8, 406	798, 852 84
Iowa	1, 058	79, 205 00	5	412 00	2, 352	245, 724 00	3, 415	325, 341 00
Kentucky	561	44, 638 56	66	5, 247 99	1, 039	107, 814 00	1, 666	157, 700 55
Kansas	169	12, 416 00	.....	.....	186	20, 856 00	355	33, 272 00
Maine	1, 687	132, 816 12	107	7, 869 02	2, 043	111, 206 00	3, 837	351, 891 14
Massachusetts	2, 889	203, 223 00	102	6, 559 66	3, 894	402, 376 00	6, 885	612, 058 66
Maryland	273	22, 672 00	12	1, 489 63	424	48, 504 00	709	72, 665 63
Missouri	663	49, 907 68	6	391 33	1, 124	117, 606 00	1, 793	167, 905 01
Michigan	1, 729	128, 735 56	19	1, 283 63	2, 264	237, 582 00	4, 012	367, 601 10
Minnesota	233	15, 364 00	1	30 00	193	21, 336 00	427	36, 730 00
New Hampshire	1, 031	76, 346 60	101	6, 391 08	1, 585	163, 320 00	2, 717	246, 267 68
New York	5, 809	458, 664 60	246	23, 210 08	6, 970	738, 998 00	13, 033	1, 220, 863 68
New Jersey	867	65, 483 04	36	4, 705 76	1, 452	152, 854 00	2, 355	223, 042 80
Nebraska Territory	8	640 00	.....	.....	11	1, 056 00	19	1, 696 00
Ohio	3, 478	266, 289 48	88	6, 912 88	5, 235	555, 720 00	8, 801	828, 922 36
Oregon	10	744 00	.....	.....	.....	.....	10	744 00
Pennsylvania	5, 176	376, 696 44	62	4, 139 90	5, 577	597, 944 00	10, 815	979, 780 34
Rhode Island	244	17, 371 80	20	1, 743 22	557	47, 838 00	821	66, 953 02
Vermont	914	68 012 00	79	5, 101 14	916	93, 246 00	1, 909	166, 359 14
West Virginia	317	24, 067 00	14	1, 369 65	824	83, 846 00	1, 155	109, 282 65
Wisconsin	1, 055	75, 903 64	7	530 43	1, 642	185, 524 00	2, 704	261, 958 07
Washington Territory	7	772 00	.....	.....	2	192 00	9	964 00
Total	35, 041	2, 635, 317 80	1, 117	90, 714 71	47, 972	5, 066, 740 00	84, 130	7, 792, 772 51

G.—Statement of the amount of funds in the hands of agents for paying navy pensions on the 30th day of June, 1865.

State.	Town.	Name of agent.	Amount.
Connecticut	Hartford	Guy R. Phelps	\$515 88
California	San Francisco	John F. Swift	789 68
District of Columbia	Washington	Robert Clarke	74 69
Illinois	Chicago	Lewis H. Davis	2, 343 56
Kentucky	Louisville	Edward F. Gallagher	153 33
Maine	Portland	Henry Willis	2, 313 85
Massachusetts	Boston	George C. Trumbull	22, 425 70
Maryland	Baltimore	John Clark	1, 817 58
Missouri	St. Louis	Horatio Wood	747 49
Michigan	Detroit	Thomas J. Noyes	110 64
Minnesota	St. Paul	Robert F. Lewis	198 68
New Hampshire	Portsmouth	James H. Shapley	2, 327 13
New York	New York	Alpheus Poles	34, 901 72
New Jersey	Trenton	Robert C. Beville	891 04
Ohio	Cincinnati	Robert C. Smith	4, 839 67
Pennsylvania	Philadelphia	Erasmus Poulson	91, 694 33
Rhode Island	Pittsburg	William E. Pierce	2, 146 19
Wisconsin	Providence	William C. Townsend	3, 101 87
Washington Territory	Milwaukee	Jeremiah B. Selby, Jr.	768 95
Total .....	.....	.....	103, 101 07

H.—Statement of the number and yearly amount of navy pensions on the roll of each State and Territory on the 30th day of June, 1865.

State.	Town.	Invalid.		Widows, children, mothers, and sisters.		Total.	
		No.	Yearly am't.	No.	Yearly am't.	No.	Yearly am't.
Connecticut.....	Hartford.....	2	\$108 00	18	\$4, 176 00	20	\$4, 284 00
California.....	San Francisco.....	3	234 00	2	360 00	5	594 00
District of Columbia.....	Washington.....	35	3, 205 44	92	20, 706 00	127	23, 911 44
Illinois.....	Chicago.....	19	950 50	11	2, 216 00	30	3, 166 50
Kentucky.....	Louisville.....	6	361 92	4	846 00	10	1, 207 92
Maine.....	Portland.....	21	1, 867 76	27	3, 456 00	48	5, 323 76
Massachusetts.....	Boston.....	183	14, 622 72	221	32, 322 00	404	46, 944 72
Maryland.....	Baltimore.....	39	2, 527 39	44	10, 284 00	83	12, 811 39
Missouri.....	St. Louis.....	11	813 96	10	1, 356 00	21	2, 169 96
Michigan.....	Detroit.....	6	354 00	12	1, 320 00	18	1, 674 00
Minnesota.....	St. Paul.....	1	72 00	.....	.....	1	72 00
New Hampshire.....	Portsmouth.....	31	2, 641 44	19	2, 892 00	50	5, 533 44
New York.....	New York city.....	295	20, 279 58	287	46, 356 00	582	66, 635 58
New Jersey.....	Trenton.....	3	144 00	10	1, 440 00	13	1, 584 00
Ohio.....	Cincinnati.....	17	1, 099 80	40	6, 084 00	57	7, 183 80
Pennsylvania.....	Philadelphia.....	143	10, 646 48	181	27, 900 00	324	38, 546 48
.....	Pittsburg.....	1	366 00	20	3, 240 00	24	3, 606 00
Rhode Island.....	Providence.....	7	612 00	17	3, 702 00	24	4, 314 00
Wisconsin.....	Milwaukee.....	2	192 00	2	192 00	4	384 00
Naval Asylum.....	.....	11	756 00	.....	.....	11	756 00
Total.....	.....	839	61, 854 92	1, 017	162, 818 00	1, 856	230, 672 92

REPORT

OF THE

COMMISSIONER OF PUBLIC BUILDINGS.

OFFICE OF THE COMMISSIONER OF PUBLIC BUILDINGS,
CAPITOL OF THE UNITED STATES.

Washington, October 12, 1865.

SIR: In conformity with the requirement of the 15th section of the act of Congress, of August 4, 1854, "making appropriations for the civil and diplomatic expenses of the government for the year ending June 30, 1855, and for other purposes," I have the honor to submit the following report:

The duties of the office of Commissioner of Public Buildings are peculiar, the responsibilities under which he acts are heavy, and necessity very often requires that in the performance of his duties he should act promptly, and cause work to be done for the protection of the public property committed to his care, even when there are no funds at his immediate command to pay for the same.

During a portion of the past year I have been compelled, for the want of the necessary funds, thus to act; but I have been careful, in almost every instance, not to do so without the approbation of the Secretary of the Interior, and do not doubt that when the exigencies of the public service are made known to Congress, the necessary appropriations will be made to meet all deficiencies.

THE CAPITOL.

The old building has undergone many changes since my last report. When that was made we had just commenced constructing the marble floor in the old hall of representatives. The appropriation of \$15,000 was expended, and a further appropriation of three thousand eight hundred and seventy-five dollars was made at the last session to complete the same. The work has been completed for some time, and the attention of the President has been called to the law of July 2, 1864, authorizing him "to invite each and all the States to provide and furnish statues, in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof, and illustrious for their historic renown or from distinguished civic or military services, such as each State shall determine to be worthy of this national commemoration," to be placed in that hall, which, by that act, was set apart, "or so much thereof as may be necessary, as a National Statuary Hall." And I have received official notice from the Department of State that circulars had been sent to the governors of all the States, notifying them of the law of Congress, and inviting them to call the attention of their several legislatures to the subject. No statuary has yet been sent from any of the States.

Under the law of last session, authorizing "an enlargement of the library of Congress so as to include in two wings, built fire proof, the space at either end of the present library," and appropriating \$160,000 therefor, the work is now going on most successfully, under the contract made with the Architectural Iron Works Company, of New York, by your direction, by which that company con-

tracted to do the work, in accordance with certain specifications drawn out by the architect of the Capitol extension, Thomas U. Walter, esq., for the sum of \$146,000. The work has now progressed so far as that the insides of the two wings are torn out, and are both ready to receive the roofs, which will be in place probably before the meeting of the ensuing Congress. The roofs once on, the other work will proceed rapidly to completion. There must necessarily be considerable expenditure outside of the contract, such as the introduction of water into the library, where, by some strange omission, it has never been carried; the cutting off and replacing of the gas mains which supplied the building, and passed through the centres of the wings to be occupied by the library; and many other incidental alterations which could not be foreseen, and were not specified.

The contractors are laboring, it is believed, with all possible energy to accomplish their work in conformity with their contract.

The removing of so much of the centre building, a large portion of which had been for years occupied by the officers of the House of Representatives as store-rooms, document rooms, &c., rendered it necessary that every nook and corner of the old building, available for office or store rooms, should be occupied, and the lobbies around the old hall have been converted into document and stationery rooms for the House of Representatives, and a portion of the west basement, never before used for any practical purpose, has been converted into store rooms; and, notwithstanding the addition of the two large wings, the Capitol has never been more crowded than at the present time.

Two large rooms under the Supreme Court room have, with your approbation, been converted, under my supervision, into a consultation room for the Supreme Court, at the solicitation of the Hon. Justices of that body.

These comprise all the radical changes that have been made in the centre building.

The work on the extension, being principally outside work, has progressed rapidly and successfully, and the prospect now is that if Congress will make the necessary appropriations it may be completed within another year. The new dome is nearly completed, and may deservedly be characterized as a great triumph of human skill and ingenuity.

As the architect will report fully upon both these improvements, it is not necessary that I should go into any detail concerning them.

The usual annual repairs of the Capitol have been made, and, in consequence of the great work in progress all about the building, they have been unusually heavy. The office of the Commissioner of Public Buildings was in that part of the building which has been removed to make room for the library extension, and the office has been removed to the rooms occupied many years ago by the Commissioner, in the western basement.

THE CAPITOL GROUNDS.

The necessity of extending the Capitol grounds becomes more and more apparent as the two wings approach their completion, and it is to be hoped that Congress will not suffer another session to pass away without making provision for enclosing at least all the ground north and south, contiguous to the building, which belongs to the United States. Such an enclosure would be a very great improvement to the appearance of the Capitol and its surroundings.

In my report of last year I called the attention of Congress to that part of the Washington and Georgetown street railroad which passes through the Capitol square. Congress took no final action upon the matter. It must be very evident to all that it is useless to attempt to enforce any regulation directing the Capitol grounds to be closed after a certain hour of the evening while the cars run regardless of hours! If they are still to be permitted by law to run

through the grounds, the only method of remedying the inconvenience now experienced is that recommended in my last annual report, viz: "The erecting of an iron fence on each side of the track, with proper openings in front of the Senate and House entrances, to be closed with gates, thus leaving the railroad track to be controlled exclusively by the company, and the grounds exclusively under the control of the government."

THE PRESIDENT'S HOUSE.

In consequence of the change in the occupancy of the President's House, early in the summer heavy expenses in repairing and furnishing became necessary, and have been incurred.

The terrible and tragical event which led to the change, and the circumstances attending and following it, seem to me to be entirely out of place for comment or recital in a business paper like this. I therefore, with this brief allusion, express the hope that Congress will make all necessary appropriations to meet any extraordinary expenditures which have been made, and I do not doubt that it will readily and cheerfully be done.

The extensive greenhouse attached to the Executive Mansion was found, upon examination, to be in the most dilapidated condition possible. Upon removing the stands and floors, all the work beneath them was found to be thoroughly decayed. All the lower portion of the building had to be entirely renewed to prevent it from crushing down by its own weight, and it was almost wonderful that it had stood as long as it did.

It has been put in as complete repair as a building situated as that is, on the top of another building, never designed to support such a weight, could well be, and will probably stand for ten or fifteen years without further repairing of any consequence.

There has always been a very meagre supply of water at the President's House, the entire supply being from a one-inch pipe. This was found insufficient for even household purposes, and afforded no protection against fire. Under these circumstances, with the approbation of the President, a six-inch pipe was laid from the main on Pennsylvania avenue to the house, and two large hydrants were put down in proper places to afford a supply of water for protective and cleaning purposes, and sufficient carried into the building to afford a bountiful supply for the heating apparatus, bathing-room, and all household uses.

PORTRAITS OF THE PRESIDENTS.

In this connexion it is proper to call the attention of Congress to the fact that a number of portraits of the ex-Presidents of the United States have been painted by Mr. Healy, the artist, under contracts with the Joint Committee of the Library of Congress, and have been paid for, with the purpose of causing them to be placed upon the walls of the rooms of the Executive mansion. Those portraits have been handed over to me by the librarian of Congress, who had no place for them in the library, and I have caused them to be safely stored in the attic of the Executive mansion. They are without frames, and I respectfully suggest whether it would not be well to cause them to be framed and properly placed where it was the intention of Congress that they should be.

I have procured an estimate from Mr. Francis Lamb, a respectable framer and gilder of this city, of the cost of framing them in an appropriate and handsome style, amounting to nine hundred dollars, which I shall include in the regular estimates of this office, for the consideration of yourself and of Congress.

PENNSYLVANIA AVENUE.

This great roadway through the city can never be placed in a proper condition until it is entirely repaved; and, as I last year recommended either the

Belgian or Nicholson wood pavement and having seen no cause to change my opinion, I again most respectfully recommend the repaving of the avenue with one of those pavements. The latter pavement can be laid for forty dollars per square of ten feet, which would be about \$253,440 per mile.

We have been constantly at work on the avenue for the past season, for absolute necessity required it; and although the roadway is very much improved, it is impossible to place it, with the present broken pavement, in the order that such a road should be. Crossings of the streets intersecting the avenue, of the best six-inch thick blue stone, filled in with Belgian pavement, have been laid at every street along the north side of the avenue, between the Capitol and Treasury Department, and two on the south side, which will last for generations to come. This was a necessity, and a debt of about \$10,000 has been incurred in doing it.

As the mayor and corporation of Washington have exhibited a most praiseworthy and energetic spirit in repairing the streets under their control, it is to be hoped that the broad thoroughfare which Congress has heretofore so generously adopted will not be permitted to suffer in comparison with other streets of less prominence. F street, formerly a perfect slough, is now one of the finest streets in the city, and will compare favorably with any street I have ever seen anywhere.

EASTERN BRANCH BRIDGES.

The navy yard bridge is in excellent repair, but the draw can hardly be called "a draw," as it is almost useless.

In my last annual report I spoke as follows: "The old draw remains as it was. It should be replaced by a new one. With a view to the erection of a new draw you detailed Colonel Silas Seymour, engineer of the Washington aqueduct, to examine the old draw and furnish the drawings for and an estimate of the expense of a new draw. This he did, his plan being for a very elaborate and expensive draw, such a one as would be admirable for the Potomac bridge, but is, in my opinion, unnecessary for the one in question, where the draw is not opened more than two or three times a year. The draw estimated for by him is to cost, at the lowest, \$11,000. I submitted his plan and estimates to you on the 16th of September last, and they are now in your department. At the time I wrote you I supposed that the \$25,000 would be sufficient to repair the bridge and erect a cheap draw that would answer all the purposes needed. I now find that an appropriation of about one thousand dollars will be necessary to make the new draw, as new piles will be necessary for its foundation, and I have estimated for that sum."

The sum of \$1,000 was appropriated, but I soon found that it would be by no means sufficient to make a new draw, and I directed that the old draw should be made as secure as possible, which was done by placing large timbers at its sides, lengthwise with the bridge, and so fastening them that they could be removed when it became necessary to open the draw. By this means we have succeeded in keeping the draw up during the season, and no accident has happened. Since all the money appropriated was expended, a bill amounting to \$2,959 66 has been presented by the Navy Department for the use of a pile-driver, labor, coal, and oil, in operating it.

I shall therefore be under the necessity, in my estimates, of asking for an appropriation to meet this deficiency, and for \$5,000 to erect a new draw.

No repairs to the upper or Benning's bridge, beyond what the current appropriation will pay for, will be necessary. That bridge is now in very good repair.

PAUPER PATIENTS.

Providence Hospital continues to be the place where the patients are sent by the Commissioner, under the charitable and humane law for their care and med-

ical treatment passed by Congress. Throughout the past year there has been constantly in the hospital the full number authorized by law, and nearly all the time an excess of from one to six. All the patients have been well and kindly treated. The excellent Sisters, who have the care of that charitable institution, have done all their duty toward the patients and the government.

The increase of transient paupers in this city has been large, even within the past year; and the hospital being full, I am compelled to turn away a large number of applicants every month who would be entitled to the benefits of the government charity were there room for them. If Congress would increase the number, so that the Commissioner could be allowed to have sixty instead of forty in the hospital at one time, I think there would seldom be a necessity of turning away a single individual clearly entitled to the benefits of the appropriation.

APPROACHES TO THE CAPITOL.

By the original plan of the city, Pennsylvania, Maryland, Delaware, and New Jersey avenues intersect the Capitol square. All these avenues, except Delaware, have been opened and improved on both sides of the Capitol; Delaware avenue has been opened and partially improved northeast of the Capitol, but remains unopened and unimproved southwest. North, South and East Capitol streets commence at the Capitol, and run each in the direction indicated by their names. East Capitol street is of the same width as the avenues, and it was doubtless expected, when the plan of the city was adopted, that it would be one of the most prominent streets in the city, leading, as it does, from the main front of the Capitol. This street is regularly opened, but is in great need of grading.

North Capitol street and South Capitol street have neither of them ever been opened. The former, if opened, would give the most direct access from the Capitol to the public printing office.

The opening of those streets would add greatly to the pleasant view from the north and south porticoes of the Capitol, and it is very desirable, not only for public convenience, but as a national feature, connected with the building occupied by the representatives of a great people, that those broad and intended to be imposing thoroughfares should be opened. It will not be in the power of the corporation of Washington to open and improve them for years to come, if ever. If they are to be opened at present, the United States must do it. I therefore most respectfully suggest whether it will not meet the approbation of Congress to provide for the opening and grading of North and South Capitol streets, and erecting a culvert across the Tiber creek where it intersects the former, whenever it shall be certified by the mayor of Washington to the Commissioner of Public Buildings that the corporation of Washington have taken the proper steps to insure the paving of those streets, as soon as they are graded; and also to grade East Capitol street, under the same proviso. No greater improvement touching the streets of the city could be made than the one here suggested, and the expense to the United States would not be over twenty thousand dollars.

ACT OF MAY 5, 1864.

In my last report I called the attention of Congress to this act, in the following language:

"The 3d section of the act of Congress approved May 5, 1864, (Statutes at Large, vol. 13, p. 68,) entitled 'An act to amend 'An act to incorporate the inhabitants of the city of Washington,' " is in the following words:

"SEC. 3. *And be it further enacted*, That in all cases in which the streets, avenues, or alleys of the said city pass through or by any of the property of the United States, the Commissioner of the Public Buildings shall pay to the

duly authorized officer of the corporation the just proportion of the expense incurred in improving such avenue, street, or alley, which the said property bears to the whole cost thereof, to be ascertained in the same manner as the same is apportioned among the individual proprietors of the property improved thereby."

I have already been called upon by the city authorities and by your department to pay the government proportion for improvements coming within the purview of the section above quoted, but there being no money appropriated to meet such payments, I had to decline paying.

I last year asked for an appropriation of five thousand dollars to enable me to meet the demands which might be made upon me during the year under the provisions of that law.

I have been informed by the mayor of Washington that he has in progress improvements in the streets of the city which pass by or through property of the United States, that will require at least one hundred thousand dollars to be paid to him by the United States within the next year, under the above quoted law; and to carry out the provisions of the same in good faith, it will require the appropriation of that sum to be made for the next fiscal year.

NUISANCE FUND.

In my last annual report I thus called the attention of the Hon. Secretary and of Congress to the law relating to nuisances, viz :

"On the 3d of March, 1863, (Statutes at Large, vol. 12, p. 746,) an appropriation of five thousand dollars was made by Congress 'for making improvements provided for in the 13th section of the city charter, per act of May 17, 1848.'

"This sum was for the removal of nuisances, and has all been expended for that purpose. It is necessary that a like sum should be appropriated for a like purpose, as, in the present state of the city, nuisances are continually existing that cannot be removed in any other way than through an appropriation, contemplated by the law of May 26, 1824, (Laws of the United States, vol. 4, p. 77,) which is referred to in the law of May 17, 1848, (Laws, vol. 9, p. 229.) I have, therefore, in my regular estimates, asked for an appropriation for the improvements referred to."

No appropriation was made, and there has been a continual call upon me during the past year to remove nuisances under the law above referred to. After consultation with you, I have, where the nuisances were such as to very much incommode citizens residing in their vicinity, and endanger their health, caused them to be abated, in anticipation of an appropriation to enable me to pay for the work. As no appropriation has been made for the two past years, I have, in my regular estimates, asked for one of ten thousand dollars.

If these laws are to stand upon the statute books, thus holding out the promise of national aid, certainly Congress will not decline to pass the necessary laws to carry out their own enactments.

VIRGINIA AVENUE AND THE PUBLIC RESERVATIONS.

I have called the attention of the Secretary and of Congress to Virginia avenue in several of my reports, and cannot, in justice to my fellow-citizens and to the government, refrain from once more urging upon Congress the necessity of making some improvement to that important thoroughfare, from the western portion of the city to the navy yard, Giesboro', and the Insane Asylum. Nothing has ever been done to it by the United States, and it is in such a condition as that it can hardly be said to be properly opened. An appropriation of, say ten thousand dollars, judiciously and economically expended on the worst portions of that avenue, would make it a very good road. I hope Congress will think proper, in exercising their generosity toward the city, to remember Virginia avenue.

The Circle, on Pennsylvania avenue, where New Hampshire avenue intersects it, has been formed, handsomely enclosed with an iron fence, cultivated at much expense, and adorned by the placing in its centre of a bronze equestrian statue of Washington, and unless some proper measures are taken to take care of it, it might as well have been left in the state it was before any improvement was made upon it. No money has been appropriated to keep up the improvements upon it or to pay a watchman for taking care of it, and the consequence is that it is filled with cattle and horses, and with gangs of boys who make all sorts of depredations within the enclosure. Scarce a month passes that I do not receive numerous complaints from the good citizens residing in that neighborhood of the desecration of "the Circle." I have endeavored, by placing the gates in such order that they could not well be left open, and by giving some official, doing duty in that neighborhood, a supervisory control over it, to remedy the evils complained of, but have failed. Persons will open the gates and fasten them open; boys will enter and make it their play-ground, and cattle and horses either go in of their own accord or are purposely turned in; and what should be a beautifully cultivated spot, and an ornament, is converted into almost a public nuisance. If Congress will make a small appropriation to put the place in complete order, and allow the Commissioner a watchman to take care of it, it can be kept in proper order, and be always, what it was intended to be, a beauty and an honor to the city.

Franklin square has been greatly improved within the past two years, but it can never be made the beautiful square it should be until it is enclosed with an iron fence that cannot be torn down and carried away by evil-disposed persons, and also placed in charge of a watchman.

Many of the triangular reservations belonging to the United States still remain open as places for the deposit of filth, instead of being made great ornaments to the city. Some years ago Congress made appropriations nearly every year to enclose one or more of them, and they were enclosed and beautified with trees and shrubbery, and present a beautiful feature in our expanded city. The last one enclosed with an iron fence was, it is believed, that on the south side of Pennsylvania avenue, between 13th and 14th streets west, some ten or twelve years ago. It is much to be desired that Congress will again turn its attention to some of those still remaining open, and make the necessary appropriations to enclose and beautify them.

On the 30th of June, 1864, Congress passed a joint resolution "authorizing the Secretary of the Interior to reclaim and preserve certain property of the United States."

That resolution was referred by your honorable predecessor, Secretary Usher, to this office. The whole subject was thoroughly examined, and an elaborate report made by me to the Secretary, which he transmitted to Congress on the 7th of December last, and the same was printed, by order of the House of Representatives, as "Ex. Doc. No. 5, 38th Congress, 2d session." Nothing further has ever been done in relation to the subject; and the foundation of the market-house on Pennsylvania avenue, between 7th and 9th streets, commenced by the corporation of Washington, and the work stopped by order of the Secretary of the Interior, in conformity with an order of Congress, remains, as it was left, an "eyesore" to every good citizen, which should be either removed or the building suffered to proceed. It is to be earnestly hoped, however, that some other locality may be found for a market-house, that the great street of the city may be relieved from what is now, as all must admit, a public nuisance.

At the last session of Congress an earnest application was made to that body, by persons owning property in the eastern part of the city, to cause the large and handsome reservation on East Capitol street, between 11th and 13th streets east, to be enclosed and beautified, and called "Lincoln Square." This would

be a very great improvement to that portion of the eastern part of the city, where Congress has never yet bestowed any of its benefactions, and which it is fondly hoped will ere long be remembered.

SPRING ON SMITH'S FARM BELONGING TO THE UNITED STATES.

By an act of Congress, approved May 25, 1832, the Commissioner of Public Buildings was authorized to purchase the rights of individuals to water, (in the northern part of the District,) and bring the water in pipes to the Capitol; and \$40,000 was appropriated for purchasing the rights and performing the work.—(Stat. at Large, vol. 4, p. 518.)

Under this law the Commissioner purchased of John A. Smith certain land about two miles from the Capitol, on which there is a large and never-failing spring of the purest water.

A brick building was erected over the spring, and water-pipes laid from it to the Capitol, and from that spring comes the flow of water which fills the fountains directly east and west of the Capitol building, and also the beautiful flow at the hydrant in front of the arched entrance to the basement of the west front.

The spring from which this water is brought has had no other protection than the building over it gave, and until that part of the District was filled with troops it was found sufficient. But after the soldiers were encamped in that locality they destroyed the door of the house by shooting bullets through it, and broke into the house and defiled the water, so as to render it unfit for drinking purposes. As soon as the fact was made known to me I had the spring cleaned out, and a new door made and covered with iron, and securely put on and fastened.

As this spring is very important to the government, for from it all the drinking-water used in the Capitol is supplied, I respectfully recommend that an appropriation be made to build a common but secure fence around so much of the land on which the spring is situated as belongs to the United States.

I append hereunto a statement of the receipts and expenditures of this office for the fiscal year ending June 30, 1865.

I have endeavored to bring to your attention such matters intrusted to my care as are deemed of sufficient importance to be made known to or considered by Congress.

There will doubtless be other matters requiring special attention during the ensuing session, which, if it be found necessary, will be brought to your notice or to that of Congress.

I am, with high respect, your obedient servant,

B. B. FRENCH,

Commissioner of Public Buildings.

Hon. JAMES HARLAN, *Secretary of the Interior.*

Statement of receipts and expenditures, under the direction of the Commissioner of Public Buildings, during the fiscal year ending June 30, 1865.

Heads of appropriation.	Appropriations for the year ending June 30, 1865.	Expenditures for the year ending June 30, 1865.	Balance due United States June 30, 1865.	Balance due Commissioner Public Buildings June 30, 1865.
Clerk to Commissioner Public Buildings.	\$1,200 00	\$1,200 00	.....	.....
Messenger to Commissioner Public Buildings	1,000 00	1,000 00	.....	.....
Laborer in charge of water-closets	525 60	525 60	.....	.....
Public gardener	1,440 00	1,440 00	.....	.....
Doorkeeper at President's House	720 00	720 00	.....	.....
Assistant doorkeeper at ditto	720 00	720 00	.....	.....
Two day watchmen at the Capitol	1,440 00	1,440 00	.....	.....
Night watchman at public stables	1,000 00	1,000 00	.....	.....
Day watchman, reservation No. 2	720 00	720 00	.....	.....
Keeper western gate, Capitol	1,090 00	1,000 00	.....	.....
Foreman and twenty-one laborers	16,080 00	16,080 00	.....	.....
Keepers of Eastern Branch bridges, &c.	1,396 00	1,396 00	.....	.....
Furnace-keeper under old Hall	720 00	720 00	.....	.....
Furnace-keeper, President's House	720 00	720 00	.....	.....
Four laborers in the Capitol	2,880 00	2,880 00	.....	.....
Providence hospital	6,000 00	6,000 00	.....	.....
Hire of carts for public grounds	2,000 00	2,114 69	.....	\$114 69
For completing the tiling of the floor of the old Hall of Representatives under the same authority that the work has already been done	3,875 00	.....	\$3,875 00	.....
Contingent expenses	500 00	464 97	35 03	.....
Grounds south of the President's House.	5,000 00	4,234 96	765 04	.....
Repairs and rebuilding fence, reservation No. 2	*869 00	681 50	187 50	.....
Fuel in part for President's House	2,400 00	2,220 14	179 86	.....
Repairs Potomac and upper bridges	*4,176 81	3,668 04	508 77	.....
Cleaning and painting crypt, Capitol	2,000 00	1,633 02	366 98	.....
Repairing fence around Armory square	533 00	444 03	88 97	.....
Repairing fence, &c., Franklin square	2,000 00	1,489 90	510 10	.....
Water-pipes from Franklin square to President's House	500 00	500 00	.....	.....
Tiber creek, for sewer	10,150 00	10,147 78	2 22	.....
Painting iron railing, Capitol	1,500 00	1,500 00	.....	.....
Ceiling library of Congress	500 00	324 74	175 26	.....
Bench, Supreme Court	1,214 00	1,181 97	32 03	.....
Navy-yard bridge	26,000 00	25,982 55	17 45	.....
Marble floor, library of Congress	1,200 00	1,019 60	180 40	.....
President's summer residence	3,000 00	3,000 00	.....	.....
To pay for ashes, &c.	125 00	125 00	.....	.....
Basement, President's House	3,000 00	3,000 00	.....	.....
Rebuilding President's stable	*2,587 19	3,103 98	.....	516 79
Annual repairs President's House	6,000 00	8,338 87	.....	2,338 87
City lots	4,098 78	192 12	3,906 66	.....
B street south, &c.	11,000 00	16 65	983 35	.....
Annual repairs of the Capitol	8,000 00	9,173 56	.....	1,173 56
Repairs Pennsylvania avenue	6,000 00	6,250 65	.....	250 65
Improvements (13th sec. city charter)	*4,961 23	4,922 46	38 77	.....
Reservation No. 2 and Lafayette square	2,252 97	1,606 50	646 47	.....
Trees and tree-boxes	3,000 00	3,057 48	.....	57 48
Purchase and repair of tools	491 09	604 48	.....	113 39

* Balance.

† In the treasury.

‡ Pavement

Statement of receipts and expenditures, &c.—Continued.

Heads of appropriation.	Appropriations for the year ending June 30, 1885.	Expenditures for the year ending June 30, 1885.	Balance due Uni- ted States June 30, 1885.	Balance due Com- missioner Pub- lic Buildings June 30, 1885.
Repairs of all furnaces under the Capitol.	\$500 00	\$483 00	\$17 00	.....
Lighting	67,597 13	67,250 72	346 41	.....
Removal of snow.....	.....	85 08	.....	85 08
Sewer traps.....	300 00	300 00	.....	.....
Illumination.....	.....	244 00	.....	244 00
Water-pipes	*95 75	95 75	.....	.....

* Balance.

REPORT

OF THE

ARCHITECT OF THE CAPITOL EXTENSION.

ARCHITECT'S OFFICE, UNITED STATES CAPITOL,
Washington, D. C., November 1, 1865.

SIR : In relation to the public buildings in your department under my supervision, I have the honor to submit the following :

CAPITOL EXTENSION.

The progress of this work since the last report of my predecessor, T. U. Walter, esq., (November 1, 1864,) has been the completion of the eastern portico of the south wing, including the steps and carriage-ways to the same. The cheek-blocks remain, however, unfinished, owing to the difficulty of obtaining blocks of marble sufficiently large for the capping. There are eleven pieces of marble for this purpose now on the ground, and the number required for one of the cheek-blocks are now set in place.

The greater part of the marble-work for the north portico has been prepared during the present season, and is now being set. It is expected that this portion of the work will be done by the meeting of Congress.

In addition to the above, there have been seventy-three blocks for cornice, architraves, &c, prepared for the unfinished porticoes.

There have been received, in addition to those already set, nine monolithic columns, which have been wrought for the other porticoes, and there are also on hand, belonging to the government, blocks sufficient to make eight columns in two pieces.

As the contractors, under a provision of their contract, claim the right to deliver these stone in two pieces, and as they have been received and paid for, I respectfully recommend that they be used in the western porticoes, alternately with monolithic columns.

A marble balustrade is being prepared to go between the plinths of the columns of all the porticoes, except where the steps prevent. This will add to the beauty of the porticoes and to the security of visitors.

There will be required for the completion of the porticoes fifteen column shafts and about 20,000 cubic feet of marble.

Nearly all the marble-work for the upper balustrades for the southern and western porticoes has been prepared for several years, and is liable to damage. It is to be hoped that this work can be set during the next year.

Amount expended from October 31, 1864, to October 31, 1865.

Amount paid for marble-cutting, dressing, and setting.....	\$115,080 37
Amount paid for marble, from the quarries at Lee, Mass.....	46,773 87
Amount paid for fifteen monolithic columns, from the Maryland quarries.....	21,000 00
Amount paid for three column shafts, in two pieces.....	3,300 00
Amount paid for labor, as per detailed statement below.....	39,876 62
Amount paid for miscellaneous bills, such as lime, sand, cement, hardware, lumber, plaster, salaries, &c.....	66,120 17
	<hr/>
	292,151 03
	<hr/>

Amount paid for days' workmen, during the year ending October 31, 1865.

	Days.	Aggregate cost
Clerks.....	788	\$3,524 96
Draughtsman.....	226½	1,182 72
Foreman of marble-mill.....	326	1,464 75
Foreman and time-keeper.....	243	1,037 48
Carpenters.....	1,190½	3,980 87
Bricklayers.....	696½	2,783 00
Plasterers.....	51½	207 00
Coppersmiths.....	414½	1,473 00
Blacksmiths.....	521½	1,834 87
Helpers.....	666	1,329 24
Finisher.....	636½	2,022 00
Photographer.....	50	200 00
Teamsters.....	1,856½	3,893 71
Laborers.....	5,096½	9,493 52
Watchmen.....	2,116	5,316 50
Stonecutters.....	33½	133 00
	<hr/>	<hr/>
	14,912½	39,876 62
	<hr/>	<hr/>

Cash account of the Capitol extension.

Amount available October 31, 1864.....	\$267,068 48
Amount refunded of retained percentage, by Provost, Winter and Co.....	15,000 00
Amount of proceeds of sale of horses, material, &c.....	19,108 86
	<hr/>
	301,177 34
Amount expended from October 31, 1864, to October 31, 1865...	292,151 03
	<hr/>
Leaving on the 31st of October, 1865, an unexpended balance of...	9,026 31
	<hr/>

By an act of Congress, \$15,000 were expended in tiling and fitting up the old hall of representatives, which amount was paid out of the money appropriated for the Capitol extension.

No appropriation was asked for this work at the last session of Congress. By reference to Mr. Walter's report of November 1, 1864, it will be seen that he states that "no appropriation would be required for the Capitol extension during the ensuing fiscal year."

The balance on hand falling so far short of the sum necessary to prosecute the work to the end of the fiscal year, it is to be presumed, by some inadvertency, his estimate must have been limited to a period of twelve months.

An appropriation of \$175,000 will be required to continue this work to the end of the present fiscal year, and an appropriation of \$200,000 for the fiscal year ending June 30, 1867.

THE NEW DOME.

That portion of the base omitted to give place for the steam-engine and hoisting apparatus has been filled in. The stairways leading from the attic story of the centre building to the platform of the lantern have been put in place, rendering access to that elevated position of the dome easy and safe.

The picture over the eye of the dome is all painted in, but the artist is unwilling to have the scaffolding removed until the plastering is thoroughly dry, and the picture toned. As it will be at times viewed by gas-light, he wishes to have the opportunity of trying it by this light before dismissing it from his hands.

The arrangements for lighting the dome by means of Gardiner's electro-magnetic apparatus is now in progress, and will probably be finished early in the session.

Since the 31st of October last, 30,457 pounds of iron for the work of the dome have been received, which together with that heretofore received for this work make the entire weight of the iron used in the dome 8,909,200 pounds. An appropriation of \$50,000 will be needed to pay bills already due, and for the completion of the work.

ENLARGEMENT OF THE CONGRESSIONAL LIBRARY.

The walls and arches have been taken out of the north and south wings, and the iron rafters are being placed over the north wing. Nearly all the alcoves, shelves, galleries, &c., for one room are prepared at the foundry in New York, and will soon be ready for shipment. Owing to some inaccuracy in the plans, some changes have been made in the rafters, which will lead to slight delay and increased expenditure. An offset in the walls of the south wing has been discovered since the partition walls were taken out, which will increase the depth of some of the alcoves, and consequently their capacity for books. Additional shelving has been ordered, so as to make serviceable every portion of the wall space.

The gallery leading to the dome, which cut off part of the library-room in the north wing, has been abolished, and the approach made by a gallery across the small court. This change adds much to the capacity of the library.

It is proposed to change the mode of heating, from warm-air furnaces to steam; the heat from warm-air furnaces being considered objectionable, and, in such large rooms, uncertain.

EXTENSION OF THE CENTRE BUILDING.

I respectfully call attention to the necessity of extending the central building and portico out to the line of the porticos of the wings. This is imperatively demanded, in order to give prominence to the central portico, which should be the superior one of the three; whereas, at present, owing to its receding, and the encroachment of the dome upon it, it appears to be the inferior. Besides, the lower member of the dome overhangs the eastern wall of the building, giving the dome from some points of view an appearance of insecurity.

Mr. Walter has left plans for thus extending the central portico, which are in my opinion judicious and in good taste, and which, if adopted, will remedy the defects above mentioned.

EXTENSION OF THE CAPITOL GROUNDS.

It is important that the work on the terraces and slopes be commenced at an early day, and that steps be taken to extend these grounds.

A plan for this purpose was submitted by Mr. Walter in his last annual report, the adoption of which, with a few modifications, I earnestly recommend.

It is a question whether the grounds east of the Capitol should not also be extended to B streets north and south; but as this has no relation to the terraces, &c., or any other work near the building, it is unimportant that it should be acted upon at present.

As the filling of the terraces, &c., near the building, will be on the ground now owned by the government, the work should be commenced as soon as the authority is given, and an appropriation made for this purpose.

PATENT OFFICE BUILDING.

The marble-work of the portico of the north front has been renewed, after a suspension of nearly four years. The progress has not been satisfactory. This is owing to the fact that during the suspension of the work, the machinery, railways, &c., at the quarries, and hoisting apparatus at the building, have been destroyed. The quarry became filled up with water and mud. A steam apparatus had to be procured by the contractors to clean out and get it in working order.

Four months' time was consumed in the quarries by a respectable force of workmen before the contractors were able to get any material to the building.

This work is being done under a contract made in the year 1857. During the suspension of this work, wages and other expenses have increased to such an extent as to render this contract unremunerative.

In view of these facts, I consider the case of these contractors as one deserving the favorable consideration of Congress.

Fifty thousand dollars will be required to finish the portico, iron fence and pavement.

SALOON OF NORTH FRONT.

The show-cases for models, with galleries, have been put up. The walls and ceilings are yet to paint.

An appropriation of \$15,000 will be necessary to pay the bills already incurred and to finish the saloon.

GOVERNMENT PRINTING OFFICE BUILDING.

By authority of Congress, March 2, 1865, an addition 60 feet by 76 was made to this building, four stories in height, corresponding with the original building. It is now finished and occupied. For capacity and convenience it is unsurpassed by any establishment for similar purposes in this country.

The cost of this addition was \$23,915 74.

CITY HALL.

The following improvements have been made at the portion of the City Hall occupied by the United States Courts:

Additional windows in court-room for light and better ventilation, an extension to the grand jury room, and renovation of two petit jury rooms, and sundry slight repairs to the building.

I would respectfully call attention to the dilapidated condition of this building. The porticos and other portions of sandstone work, never having been painted, are in a state of decay. This material is so porous that paint is essential to its preservation. If anything is done in this direction, the city authorities should have the portion of the building occupied by them painted at the same time.

The steps, cornice, and other portions of the work should be pointed up, as, if this is not soon done much of this work will have to be reset.

By a small annual expenditure for repairs, timely and judiciously made, much damage might be prevented, and money saved.

I am, very respectfully, your obedient servant,

EDWARD CLARK,

Architect U. S. Capitol Extension, &c., &c.

Hon. JAMES HARLAN, *Secretary of the Interior.*

TENTH ANNUAL REPORT
OF THE
BOARD OF VISITORS,
AND THE
THIRTEENTH ANNUAL REPORT
OF THE
SUPERINTENDENT OF CONSTRUCTION
OF THE
GOVERNMENT HOSPITAL FOR THE INSANE
FOR THE YEAR 1864-'65.

Officers of the Government Hospital for the Insane.

VISITORS.

1. REV. P. D. GURLEY, *President of the Board.*
2. ROBERT C. WOOD, M. D., U. S. A.
3. JOSEPH HENRY, LL. D.
4. RICHARD WALLACH, Esq.
5. HENRY ADDISON, Esq.
6. WILLIAM GUNTON, Esq.
7. GEORGE S. GIDEON, Esq.
8. WALTER S. COX, Esq.
9. PHINEAS J. HORWITZ, M. D., U. S. N.

MEDICAL DIRECTORS.

CHARLES H. NICHOLS, A. M., M. D., *Superintendent and ex-officio Secretary of the Board of Visitors.*
WILLIAM W. GOUNDING, M. D., *First Assistant Physician.*
BARNARD D. EASTMAN, M. D., *Second Assistant Physician.*
THOMAS M. FRANKLIN, M. D., *Third Assistant Physician.*

REPORT OF THE BOARD OF VISITORS.

GOVERNMENT HOSPITAL FOR THE INSANE,
St. Elizabeth, D. C., October 1, 1865.

SIR: In compliance with a requirement of section 2 of the act organizing this institution, we have the honor to lay before you the following summary of its operations during the year ending June 30, 1865, prepared at our request by the superintendent.

The number of patients under treatment on the 30th day of June, 1864, was :

From the army, white males	186	
From the army, colored males	5	
	<hr/>	191
From the navy, white males	16	
From the navy, colored males	2	
	<hr/>	18
From civil life, white males	46	
From civil life, white females	70	
	<hr/>	116
From civil life, colored males	4	
From civil life, colored females	16	
	<hr/>	20
	<hr/>	136
From Soldiers' Home, white males	2	
From rebel prisons, white males	4	
	<hr/>	
Males, 265 ; females, 86 ; total		351

The number of patients admitted during the year ending June 30, 1865, was :

From the army, white males	407	
From the army, colored males	19	
	<hr/>	426
From the navy, white males	9	
From the navy, colored males	1	
	<hr/>	10
	<hr/>	436
From civil life, white males	28	
From civil life, white females	30	
	<hr/>	58
From civil life, colored males	8	
From civil life, colored females	6	
	<hr/>	14
	<hr/>	72
From quartermaster's department, white males	2	
From subsistence department, white male	1	
Rebel prisoners, white males	4	
	<hr/>	
Males, 479 ; females, 36 ; total		515

The whole number of patients under treatment in the course of the year 1864-'65 was :

From the army, white males	593	
From the army, colored males	24	
	<hr/>	617
From the navy, white males	25	
From the navy, colored males	3	
	<hr/>	28
	<hr/>	645

From civil life, white males	74	
From civil life, white females.....	100	
	<hr/>	174
From civil life, colored males	12	
From civil life, colored females.....	22	
	<hr/>	34
		<hr/>
		208
From Soldiers' Home, white males.....		2
From quartermaster's department, white males		2
From subsistence department, white male		1
From rebel prisoners, white males		8
	<hr/>	
Males, 744; females, 122; total		866
	<hr/>	

The number of patients discharged in the course of the year was :

Recovered from the army, white males.....	296	
Recovered from the army, colored males.....	11	
	<hr/>	307
Recovered from the navy, white males.....	5	
Recovered from the navy, colored male.....	1	
	<hr/>	6
		<hr/>
		313
Recovered from civil life, white males.....	14	
Recovered from civil life, white females.....	10	
	<hr/>	24
Recovered from civil life, colored males.....	3	
Recovered from civil life, colored females.....	4	
	<hr/>	7
		<hr/>
		31
Recovered from the quartermaster's department, white males.....	1	
Recovered from the rebel prisoners, white males.....	3	
	<hr/>	348
Improved from the army, white males.....	83	
Improved from the navy, white male.....	1	
	<hr/>	84
Improved from civil life, white males.....	9	
Improved from civil life, white females.....	7	
	<hr/>	16
Improved from the rebel prisoners, white male.....	1	
	<hr/>	
		101
Unimproved from the army, white males.....	8	
Unimproved from civil life, white male.....	1	
	<hr/>	9
		<hr/>
Males 437; females 21; total.....		458
	<hr/>	

The number of patients who died in the course of the year was :

From the army, white males.....	106	
From the army, colored males.....	7	
	<hr/>	113
From the navy, white males.....	5	
From the navy, colored males.....	2	
	<hr/>	7
		<hr/>
		120

From civil life, white males.....	13	
From civil life, white females.....	5	
	<hr/>	18
From civil life, colored males.....	2	
From civil life, colored females.....	3	
	<hr/>	5
	<hr/>	23
From Soldiers' Home, white male.....	1	
From subsistence department, white male.....	1	
Rebel prisoners, white males.....	2	
	<hr/>	
Males 139 ; females 8 ; total		147

The number of patients remaining under treatment on the 30th day of June, 1865, was :

From the army, white males.....	100	
From the army, colored males.....	6	
	<hr/>	106
From the navy, white males.....	14	
	<hr/>	120
From civil life, white males.....	37	
From civil life, white females.....	78	
	<hr/>	115
From civil life, colored males.....	7	
From civil life, colored females.....	15	
	<hr/>	22
	<hr/>	137
From the Soldiers' Home, white male.....	1	
From the quartermaster's department, white male.....	1	
Rebel prisoners, white males.....	2	
	<hr/>	
Males 168 ; females 93 ; total.....		261

A tabular statement of the physical and mental condition and the duration of disease at the time of death of those who died in the course of the year.

PHYSICAL CONDITION.

No. of cases.

Chronic, organic and functional degeneration of the brain without complicative or supervenient disease before death.....	49
Chronic, organic and functional degeneration of the brain, with epilepsy..	12
Ditto with apoplexy.....	5
Ditto with paralysis generale.....	2
Ditto with tumor of the brain.....	1
Ditto with typhoid fever.....	14
Ditto with dysentery.....	7
Ditto with diarrhœa.....	1
Ditto with phthisis.....	7
Ditto with albumunuria.....	1
Ditto with hepatitis.....	1
Ditto with bilious fever.....	1
Ditto with pneumonia	1
Ditto with erysipelas.....	1

Ditto with gangrene of lung.....	1
Maniacal exhaustion.....	7
Inanition.....	8
Typhoid fever.....	12
Diarrhœa.....	1
Dysentery.....	2
General paralysis (simple).....	2
Epilepsy.....	4
Pneumonia.....	1
Asphyxia.....	1
Abscess of liver.....	1
Malarial exhaustion.....	1
Moribund on admission.....	3
Total.....	147

MENTAL CONDITION.

	No. of cases.
Acute mania.....	19
Chronic mania.....	34
Acute melancholia.....	10
Chronic melancholia.....	4
Acute dementia.....	11
Chronic dementia.....	69
Total.....	147

DURATION OF MENTAL DISEASE.

	No. of cases.
Two months.....	3
Three months.....	2
Four months.....	9
Five months.....	2
Six months.....	24
One year.....	43
Two years.....	28
Three years.....	5
Four years.....	5
Five years.....	3
Six years.....	2
Seven years.....	3
Eight years.....	4
Nine years.....	4
Ten years.....	1
Eleven years.....	1
Twelve years.....	1
Fifteen years.....	1
Sixteen years.....	1
Nineteen years.....	2
Twenty-one years.....	2
Twenty-four years.....	1
Total.....	147

As nearly as could be ascertained, the persons admitted in the course of the year had been insane at the time of admission—

One to three months, from the army, white males.....	172
One to three months, from the army, colored males.....	12
One to three months, from the navy, white males.....	5
One to three months, from the navy, colored male.....	1
One to three months, from civil life, white males.....	16
One to three months, from civil life, colored males.....	3
One to three months, from civil life, white females.....	12
One to three months, from civil life, colored females.....	3
One to three months, from the quartermaster's department, white male.....	1
	—225
Three to six months, from the army, white males.....	93
Three to six months, from the army, colored males.....	2
Three to six months, from the navy, white male.....	1
Three to six months, from civil life, white males.....	2
Three to six months, from civil life, colored males.....	2
Three to six months, from civil life, white females.....	4
Three to six months, from civil life, colored female.....	1
Three to six months, rebel prisoner, white male.....	1
Three to six months, from the quartermaster's department, white male.....	1
	—107
One year, from the army, white males.....	54
One year, from the army, colored males.....	4
One year, from the navy, white male.....	1
One year, from civil life, white males.....	4
One year, from civil life, colored males.....	3
One year, from civil life, white females.....	5
One year, from civil life, colored females.....	2
	—73
Two years, from the army, white males.....	24
Two years, from the navy, white male.....	1
Two years, from the subsistence department, white male.....	1
Two years, rebel prisoners, white males.....	2
	—28
Three years, from the army, white males.....	19
Three years, from civil life, white females.....	3
	—22
Four years, from the army, white males.....	7
Four years, from civil life, white males.....	2
Four years, from civil life, white female.....	1
	—10
Five years, from the army, white males.....	10
Five years, from civil life, white female.....	1
Five years, rebel prisoner, white male.....	1
	—12
Six years, from the army, white male.....	6
Six years, from civil life, white females.....	2
	—8
Seven years, from the army, white males.....	6
Seven years, from the army, colored male.....	1
Seven years, from the navy, white male.....	1
Seven years, from civil life, white male.....	1
	—9

Eight years, from the army, white males.....	2
Nine years, from the army, white males.....	2
Ten years, from the army, white males.....	9
Ten years, from civil life, white female.....	1
	<hr/> 10
Twelve years, from the army, white male.....	1
Twelve years, from civil life, white male.....	1
	<hr/> 2
Fifteen years, from the army, white male.....	1
Eighteen years, from the army, white male.....	1
Twenty-one years, from civil life, white female.....	1
Twenty-three years, from civil life, white male.....	1
Thirty years, from civil life, white male.....	1
	<hr/> 515

Tabular statement of the time of life at which the 1,989 persons treated since the opening of the institution became insane.

Under 10 years	23
Between 10 and 15 years.....	17
Between 15 and 20 years.....	121
Between 20 and 25 years.....	421
Between 25 and 30 years.....	542
Between 30 and 35 years.....	374
Between 35 and 40 years.....	235
Between 40 and 45 years.....	94
Between 45 and 50 years.....	56
Between 50 and 60 years.....	48
Between 60 and 70 years.....	25
Between 70 and 80 years.....	14
Unknown	19
Total.....	<hr/> 1,989

The following table shows the nativity, as far as it could be ascertained, of the 1,989 persons treated.

NATIVE-BORN.		FOREIGN-BORN.	
District of Columbia.....	165	Ireland	478
New York.....	134	Germany.....	319
Pennsylvania	125	England	34
Maryland.....	106	France.....	29
Virginia.....	85	Canada	11
Massachusetts	53	Scotland	10
Ohio.....	49	Italy	10
Maine	25	Poland.....	5
New Hampshire.....	19	Sweden	5
Illinois.....	18	Switzerland.....	5
Wisconsin ...	13	Norway	5
Vermont	12	Wales	3
Connecticut.....	12	Russia	3
Michigan	12	Spain.....	3

Indiana	12	Denmark	
Kentucky	11	Nova Scotia	1
New Jersey	11	Hungary	1
Missouri	10	Austria	1
Rhode Island	8	Buenos Ayres	1
Tennessee	7	Costa Rica	1
Iowa	3	Sicily	1
North Carolina	3	Holland	1
Alabama	2	Belgium	1
Louisiana	2		
Georgia	1		931
Mississippi	1	Unknown	154
Arkansas	1		
Colorado	1		1, 989
Choctaw nation	1		
Florida	1		
Delaware	1		
	<hr/>		
	904		
	<hr/>		

Below is shown the form of disease under which the cases received since the institution was opened labored at the time of admission.

MANIA.

Acute, simple	892
Acute, epileptic	21
Acute, paralytic	7
Acute, homicidal	6
Acute, hysterical	2
Acute, puerperal	5
Acute, suicidal	10
Acute, erotic	1
Acute, febrile	33
Acute, periodical	22
Acute, dipsoic	27
Acute, cataleptic	2
Acute, kleptoic	1
Typhomania, (Bell's disease)	1
	<hr/>
	1, 030
	<hr/>
Chronic, simple	140
Chronic, epileptic	9
Chronic, paralytic	7
Chronic, puerperal	5
Chronic, periodical	25
Chronic, cataleptic	1
Chronic, suicidal	2
Chronic, homicidal	3
Chronic, homicidal and epileptic	1
	<hr/>
	193
	<hr/>

MONOMANIA.

Acute, simple	3
Chronic, simple	14
	<hr/>
	17
	<hr/>

MELANCHOLIA.

Acute, simple	101
Acute, suicidal	17
Acute, epileptic	1
Acute, nostalgic	19
Acute, homicidal	1
	<hr/>
	139
	<hr/>
Chronic, simple	37
Chronic, suicidal	1
Chronic, periodic	1
	<hr/>
	39
	<hr/>

DEMENTIA.

Acute, simple	178
Acute, epileptic	7
Acute, paralytic	8
Acute, periodical	2
Acute, suicidal	4
	<hr/>
	199
	<hr/>
Chronic, simple	302
Chronic, general paralysis	4
Chronic, epileptic	48
Chronic, paralytic	24
Chronic, senile	14
Chronic, dipsoic	4
Chronic, suicidal	5
Chronic, periodical	3
Chronic, epileptic and suicidal	1
Chronic, paralytic	1
	<hr/>
	406
	<hr/>
Whole number of cases treated	2,023
Number of re-admissions	34
	<hr/>
Number of persons treated	1,989
	<hr/>

INDEPENDENT OR PAY PATIENTS.

There were of this class, at the beginning of the year :

	8 males	9 females..	17
Received in the course of the year	12 males	11 females..	23
<hr/>			
Total	20 males	20 females..	40
Discharged in the course of the year	16 males	9 females..	25
Remaining at the end of the year	4 males	11 females..	15
Public patients at the end of the year, from the army			106
Public patients at the end of the year, from the navy			14
Public patients at the end of the year, from civil life			123
Public patients at the end of the year, from quartermaster's department...			1
Public patients at the end of the year, rebel prisoners			2
<hr/>			
Males			168
Females			93
<hr/>			
Total			261
<hr/>			

The admissions this year, five hundred and twelve (512) altogether, exceeded those of the previous year by six (6.) While the army and navy furnished nearly eighty-three (83) per cent. of the whole admissions, the number of military patients received was twelve (12) less, and the number of civil cases, including rebel prisoners, eighteen (18) more than last year.

Though the active operations of the war continued through most of the period embraced in this report, it will be seen that it exhibits the commencement of a return towards the old ratios which the military and civil cases bore to each other. The current year will doubtless exhibit a further movement in the same direction; but it is not probable that any generation of living men will witness the preponderance in our wards of the civil over the military cases which marked the status ante bellum.

It is an equally extraordinary and significant fact that the number of civil cases received into the institution during the four years of the war has exceeded the admissions during an equal preceding period only ten (10) per cent., notwithstanding an estimated increase of the permanent population of the District of one hundred (100) per cent., and two enactments by Congress—one providing for the care in the national hospital, during the war, of all transient insane persons found in the District without the means of self-support, and the other making like provision for the same period for all cases of insanity occurring in any part of the republic among the civil employes of the quartermaster's and commissary's departments of the army.

This evident diminution in the relative prevalence of insanity in the District accords with the history of the disease throughout the loyal States; and it is thought to show that the mind of the country was raised by the war to a healthier tension and more earnest devotion to healthier objects than was largely the case amid the apathies and self-indulgences of the long-continued peace and material prosperity that preceded the great struggle. Whether or not a kind of mental collapse will follow a return of peace, and be attended with an increase of mental disease, will depend upon circumstances which we cannot pretend to definitely foresee. If it unhappily should, the truth of this theory would be demonstrated beyond a question, and the old notions—doubtless true as observed at other times and under other systems of government—of the effects of violent national struggles upon the psychological condition of the peoples af-

fectured by them, entirely reversed as applied to the citizens of the North American republic. It is but a slight license to say that the nation laid down its life to save it; and that the national mind rapidly acquired a firmer strength and a higher tone amid the harrowing incidents of such a gigantic and all-pervading strife and sacrifice, must be accounted one of the most remarkable and interesting events in the mental history of our race! But, after all, the same natural law to which the nation appears to owe an increase of mental strength amid a sudden, vast and unprecedented expenditure of it, underlies some of the most familiar observations in psychology. The popular idea that weak and indolent minds in civilized society enjoy comparative immunity from derangement, is an erroneous one. All weakness invites disease, while strength repels it; and activity is a condition of strength. There is more insanity among the hinds and drones of mankind than among the Newtons and Websters. The capacity and application of philosophers and statesmen are associated with a strength and tone of the brain and nervous system which not only repel disease, but afford the innervation necessary to the vigor of the bodily functions. There are fewer dyspeptics among scholars than among unlettered men. It is true that poets—a class of most intellectual men—and madmen are thought to be allied; and it may be so. The mental constitution that affects the poetic fervor is not always—perhaps not generally—what is called a well-balanced one. Besides, the frequent exercise of the imagination in the conception of poetic images is apt to develop into inordinate activity a power of the understanding, especially when it is originally in excess, that is most prone to confound the ideal with the real, and thus establish one of the forms of the incipency of insanity.

The whole number treated in 1864-'65 was eight hundred and sixty-six (866) against seven hundred and eighty-seven (787) in 1863-'64. As the number of admissions was nearly the same in each of the two years, the excess of seventy-nine (79) treated this year was mainly due to the greater number in the house at the beginning of this than at the beginning of the preceding year.

The recoveries here reported were all, it is believed, genuine restorations to the normal mental state of the respective individuals. They were nearly fifty-eight (58) per cent. of the discharges, including deaths, and a little more than 40 per cent. of the whole number under treatment during the year. The proportion of recoveries was somewhat less during the last two than it was in the first two years of the war. The high proportion of incurable cases among the soldiers who have formed so large a moiety of our population during the war, and the payment of bounties for recruits, began at the same time. The relation that those concurrent events bore to each other is obvious. The various bounties, particularly the large sums paid for recruits during the last year of the rebellion, stimulated the cupidity of recruit and substitute brokers to the exercise of an ingenuity and perseverance, and to achieve a success, in imposing upon the army senility and childhood for vigorous manhood, and imbecility for soundness of understanding, which, had they been displayed in the genuine service of their country, would have commanded the blessings of a heroic patriotism. It was found that recovered soldiers discharged from the hospital and service, and paid off, and left to journey to their homes by themselves, were so frequently the victims, while on their way, of the diabolical arts of "drugging" and robbery, and then of literal sale as recruits or substitutes, that no such patients were permitted to leave the institution during the last six (6) months of the war, except under the personal protection of friends or officials. The fact that nine (9) natives of Canada were admitted to the hospital during the period under review, while only two (2) were received during its previous history of nine (9) years, affords ground for the suspicion that our political neighbor on the north parted with some of her dependent population at a handsome premium. We could write the current history of several of the large alms-houses and munici-

pal institutions for the insane from the declarations of patients received into the hospital during the past year.

The same causes that have slightly reduced the proportion of recoveries have increased the number in the table of discharges classed as *improved* and *unimproved*. The most of the improved cases had become mentally as comfortable as they were when cruelly imposed upon the service, or had in any probability been for many years, and a large proportion of them were taken to their homes by relatives or friends, where they could be usefully employed and enjoy a qualified liberty.

The discharge from the service of the few classed as *unimproved*, eight (8) out of nine (9) of whom were army patients, was accepted by friends who preferred to place them in the care of institutions near their distant homes.

The percentage of mortality this year was large, but, however much we may regret it, it seemed inevitable under the circumstances. Over seventy-two (72) per cent. of the deaths were in cases of chronic insanity, and in three-fifths ($\frac{3}{5}$ ths) of the remaining cases the fatal event was due to morbid condition existing at the time of admission. By *inanition*, as an assigned cause of death, is meant the non-assimilation of food in consequence of a peculiar exhaustion of the vital forces. In these cases the mental disorder was not of an active and exhaustive type, and no acute idiopathic disease could be detected. The only exception to our remarkable exemption from local disease consisted in the communication of typhoid fever, with which many soldiers were admitted in the fall and winter, to some of the chronic cases already in the house, who, from defective innervation, offered but little resistance either to the invasion or progress of an asthenic disease; and for a few weeks the fever prevailed considerably in several wards on the male side of the house. That typhoid fever is in no sense an endemic disease here is shown both by its entire disappearance as soon as it ceased to be brought to us from the field, and by the non-occurrence of a single case in the women's wards, in which the mortality from all causes, during the year, was only between six and seven (6 and 7) per cent. of a population composed largely of chronic and infirm cases.

The population of the hospital at the close of the last government year was less than it had been at any other time for two years previous. This reduction was mainly effected by embracing the favorable opportunity which the return in June of so many of the different organizations of the army to their respective States afforded to send home in the care of comrades or officers all recovered men, and most others who had evidently not become insane in the line of duty, and would certainly be properly cared for either by their friends or the local authorities.

The admissions since the beginning of 1865-'66 have averaged about one a day. As the army becomes more "regular" and national in its organization, and the rank and file is recruited from the least inhabitative population of the country directly into the service of the United States, the soldier will have much fewer of those State ties and claims which have generally led to the early removal of the incurable volunteer to his home and its local protections. In this way it is expected that the present and future population of the hospital will, as a rule, have a much more protracted residence in it than the volunteers had, and that the average number of inmates will soon equal, if not exceed, the highest number resident at one time during the war.



Classified abstract of the expenditures and receipts of the hospital during the year ending June 30, 1865.

EXPENDITURES.

Balance from last year due superintendent from United States....	\$3, 874 83
Expended for flour.....	5, 245 20
“ meats, including hams.....	10, 159 13
“ butter and cheese.....	5, 709 67
“ groceries and ice.....	10, 590 83
“ potatoes.....	789 22
“ fuel and lights.....	9, 170 40
“ furniture, glass, china, hardware.....	721 05
“ boots, shoes, findings, &c.....	95 25
“ farming implements, &c.....	1, 167 96
“ hay, oats, straw, &c.....	4, 834 18
“ horse and ox shoeing.....	309 27
“ repairs and improvements.....	541 98
“ stock.....	1, 075 89
“ postage.....	74 20
“ salaries and wages.....	18, 436 00
“ books, stationery and printing.....	121 00
“ freights.....	7 94
“ eloped patients.....	65 00
“ money returned to private patients.....	721 98
“ dry goods.....	830 95
“ repairs to carriages, harness, &c.....	667 23
“ fish.....	785 40
“ medicines, including liquors.....	2, 296 35
“ miscellaneous supplies.....	235 85
	<hr/>
	78, 526 76
	<hr/>

RECEIPTS.

Received from treasury United States.....	\$40, 500 00
“ private patients for board, &c.....	6, 144 92
“ naval hospital fund for supplies furnished.....	9, 043 13
“ Philadelphia, Baltimore and Wilmington railroad, for overcharge on freight.....	15 00
“ disinterment of bodies.....	5 00
“ miscellaneous articles, &c., sold.....	11 00
“ work by hospital horses, &c., on continuation of wall.....	252 00
“ balance due superintendent from United States.....	22, 555 71
	<hr/>
	78, 526 76
	<hr/>

Without a word of explanation the expenditures under some heads might mislead the department. For instance, the item of salaries and wages shows the entire amount paid to the officers and employes engaged in the management of the institution during the year. The items for butter and cheese, fuel and lights, fish and liquors, hay, grain and straw, which embrace the principal cost of milk, poultry and transportation, and some smaller items, include the cost of all such articles consumed both by this hospital and by the naval hospital in

this District, which has been a free tenant of this institution for upwards of four (4) years, and from which it has derived all its supplies except medicines. On the other hand, in the crippled state of its finances, which will hereafter be noticed, the institution has been indebted to the War Department for aid in supplying bread, beef and groceries, which have materially reduced the expenditure for flour, meats, sugar, and tea and coffee.

In relation to the receipts, it should be remarked that sixty thousand five hundred dollars (\$60,500) were appropriated by the thirty-eighth Congress, at its first session, for the support of the hospital during the year 1864-'65, and that at the last or second session of Congress thirty thousand dollars (\$30,000) were appropriated to supply a deficiency to that amount in the sum required to carry the institution through the year. This deficiency arose from a much larger number of admissions than was anticipated when the estimates for the year were made, and an advance of more than fifty (50) per cent. in the cost of all the necessaries of living and treating the sick.

On account of an accidental delay only forty thousand five hundred dollars (\$40,500) of the appropriation of sixty thousand five hundred dollars (\$60,500) were advanced to the superintendent before the 30th of June last, as may be noticed. Had the remaining twenty thousand dollars (\$20,000) been advanced to him a few days earlier than they were, the balance due him would have been two thousand five hundred and fifty-five and seventy-one one-hundredths dollars, (\$2,555 71,) instead of twenty-two thousand five hundred and fifty-five and seventy-one one-hundredths dollars, (\$22,555 71.) After a delay in making such appropriations, with which all immediately interested parties are familiar, the deficiency of thirty thousand dollars (\$30,000) was appropriated in the act providing for the legislative, executive, and judicial expenses of the government for the year 1865-'66, and was not available till that year had commenced, though the most of it was due for expenditures already made.

The department is well aware that Congress at the very close of its last session failed to pass the appropriation bill which provides for sundry civil expenses of the government. The sums needed for the support and improvement of this institution were included in that bill, and of course lost with it; and the hospital is now being supported with money borrowed upon the faith of the party loaning it that Congress will very early in the approaching session enable the department to replace the amount advanced.

The present financial condition of the institution as thus explained renders it plainly necessary, it is thought, to respectfully recommend that Congress be asked to make an appropriation of ninety thousand five hundred dollars, (\$90,500,) the amount asked last year and reported in the bill which was lost, for the maintenance of the hospital during the current year, and that the same amount be asked for the support of the institution during the year ending June 30, 1867. This amount is the product of the multiplication of the estimated number (360) of insane persons that this hospital will be required, under existing laws, to treat this year and the next at the expense of the United States, by the average cost (\$250) of the proper support and treatment of one insane person for one year. We believe it to be our earnest endeavor, as it is our evident duty, to conduct the institution with all the economy that is consistent with the proper discharge of the obligations of the government to the most unfortunate class of its servants and dependents, and we have concluded to adhere to the basis of the calculation upon which the first of these estimates was originally submitted a year ago, although we find the cost of supplies during the period referred to likely to exceed our expectations. The average number of patients does not seem likely to vary greatly from what we anticipated.

On the 11th of June, 1865, the board of visitors was called upon to lament the death of Dr. Whelan, for many years the distinguished chief of the Bureau of Medicine and Surgery of the United States navy, and one of the most devoted

and efficient officers of the hospital since its organization under the act of Congress, which took effect on the first day of July, 1855. Had he lived nineteen (19) days longer he would have been a visitor for the continuous period of ten (10) years. At a special meeting of the board held a few days after Dr. Whelan's death, the following resolutions were unanimously adopted:

"1. *Resolved*, That in the death of our much esteemed and highly respected associate, Dr. William Whelan, the hospital has lost a warm and judicious friend, a wise and prudent counsellor, and a faithful and efficient officer, whose devotion to the welfare of the suffering insane it becomes us all to remember and to imitate.

"2. *Resolved*, That we express to the wife and children of our lamented companion the sorrow we feel on account of the sad bereavement they have been called upon to bear in the death of a good husband and father, and also our deep sense of the loss occasioned thereby to this board, to the hospital, to the city of Washington, and to the naval service of the country with which for many years he was most honorably and usefully connected."

In less than one month after the lamented death of Dr. Whelan, the hospital suffered the loss by death of Dr. Bela N. Stevens, who had been connected with the institution for nearly six (6) years, first as the only medical assistant, and then as first assistant physician. Dr. Stevens was a graduate both of the academical and medical departments of Dartmouth College. His superior mental endowments, his varied attainments, resulting from a diligent use of liberal opportunities for general and professional culture, the earnest directness of his honorable purposes, and, withal, the possession of an active temperament, rendered him a man of marked intellectual power with whomsoever he was associated, and of unwearied executive efficiency in whatsoever he undertook to perform. During the time that he held an appointment under this board he took a responsible part in the medical and surgical treatment of nearly all the inmates of the hospital proper and of the St. Elizabeth general hospital, which was conducted by our medical officers during three (3) years of the war. His skill, attention and humanity much endeared him to his patients, and there are men scattered all over this broad land who sincerely lament his death and bless his memory.

The general naval hospital in this District continues to occupy the lodge for colored men. The gardener's house, used during the war for a naval pest hospital, has recently been vacated. Contrary to our expectations a year ago, the new buildings in process of erection in Washington for a naval hospital are not ready for occupation, and will not be, we understand, till completed by an additional appropriation by Congress. The colored men's lodge is needed by the class of insane for which it was erected, and we much hope that the medical bureau of the navy will be enabled to complete its buildings before the expiration of the current year.

Dr. Godding continues to discharge the highly responsible and laborious duties of his position with marked ability and untiring activity.

In April last Dr. B. D. Eastman, for several years the assistant physician of the New Hampshire Asylum for the Insane, at Concord, was appointed an assistant physician of this institution; and upon the death of Dr. Stevens, Dr. T. S. Franklin, of New York, who spent a portion of his pupilage in the Friends' Asylum for the Insane near Philadelphia, received a similar appointment. These officers have given good satisfaction during their short period of service.

We have generally been able to secure the services of excellent female attendants, but during the war it was very difficult to employ suitable men for similar positions on the male side of the house. The comfort of the insane is intimately dependent upon the character of their immediate companions and care-takers, and it affords us great pleasure to say that since the close of hos-

ilities we have been able to fill our corps of attendants from even a better class of men than usually applied for such a situation before the war.

The improvements in furniture, pictures, flowers and birds, and the various other means of amusement and instruction which promote the comfort and restoration of the insane, have at no time during the last four (4) years been altogether suspended, but the crowded condition of the house and the cares of the officers have rendered it impossible to prosecute them as largely as we hope to do in future. Still, we have always done enough to secure the institution against any retrograde movement in those appointments which most distinguish the best modern establishments for the cure of maladies of the mind from those bare, cheerless receptacles for madmen which abounded in Europe a century ago, and still have their types both in the Old World and the New.

In the course of the past year the honorable Secretary of War has shown his favorable appreciation of the usefulness of the institution to the great branch of the public service under his direction by such material aid in the crippled condition of its resources as was within his discretion. The institution is also much indebted to the State and Interior Departments for a large amount of interesting reading for the patients; to Miss D. L. Dix for several chairs and various other useful appliances in the care of the sick; to Miss Lowell, of Boston, through D. W. Bliss, for two of Crosby's invalid beds and one locomotive chair; and to the publishers of the American Agriculturist for their very valuable paper.

We have the honor to be, very respectfully, your obedient servants,

P. D. GURLEY, *President of the Board.*

C. H. NICHOLS, *Secretary of the Board.*

HON. JAMES HARLAN, *Secretary of the Interior.*

GOVERNMENT HOSPITAL FOR THE INSANE,
St. Elizabeth, D. C., November 1, 1865.

SIR: The estimates submitted in my last annual report were approved by your predecessor, and in due time included in the bill providing for sundry civil expenses of the government, which was reported to the House of Representatives by the Committee of Ways and Means. That bill did not become a law, and of course the sums asked for the improvements contemplated were not appropriated. I therefore very respectfully re-submit the estimates in question, much hoping that they will have your approval, and that Congress will early in the approaching session pass a deficiency bill which shall include them. They are as follows:

1. For finishing, furnishing, and lighting additional accommodations in the east wing, for new bedding in the west wing, and for the extension and re-planking of the coal wharf. \$10,000 00
2. For continuing the wall enclosing the grounds of the hospital. 10,000 00
3. For removing and repairing three old frame houses, and building two new cottages for the occupation of the employes of the hospital having families. 6,000 00

The expenditure of the first sum could be advantageously commenced as early as it can possibly be appropriated; and if the second and third items should become available by the first of April next, there would be time for their careful expenditure before the estimates for the year 1866-'67 would be likely to be appropriated at a long session of Congress, and the great loss of a year's time in perfecting this establishment and realizing its highest usefulness measurably regained.

The improvement of the grounds of the hospital by an exchange of land authorized by a resolution passed at the first session of the thirty-eighth (38th) Congress has been effected in accordance with the terms of that resolution, except the formality of an exchange of title deeds. All the certificates and other data necessary to the preparation of both deeds are in the department.

I respectfully submit the following estimates for the year ending June 30, 1867 :

1. For finishing, furnishing, lighting, and heating additional accommodations in the east wing (occupied by sick and wounded soldiers during the war and in part unfinished,) five thousand dollars—\$5,000.

2. For continuation of the wall enclosing the grounds, ten thousand dollars—\$10,000.

3. For the purchase and fencing of fifty-six and a half ($56\frac{1}{2}$) acres of meadow land lying near the hospital, provided the Secretary of the Interior shall approve of the purchase in view of the price and quality of the land, and the necessity of adding it to the hospital farm, six thousand dollars—\$6,000.

The character and importance of the work which it is contemplated to execute under the first (1st) estimate are sufficiently explained, it is thought, by the language in which that item is expressed.

The second (2d) estimate is for the continuation of a most important improvement, for which a small sum is annually asked, in order that the government may least feel the expenditure necessary for the whole work.

The last and third (3d) estimate is for the purchase of an excellent piece of land lying convenient to the hospital farm, which can be obtained at a very moderate price as compared with the rates at which similar property in the District now sells, and which will save to the hospital, in the grazing and hay it will furnish, the whole amount of its cost in three years.

It is very respectfully suggested that the estimates of this hospital be put in that class which is usually appropriated in an annual bill providing for the "legislative, executive, and judicial expenses of the government." This hospital was organized by act of Congress approved March 3, 1855, by which the United States most solemnly pledged themselves to afford the uninterrupted benefits of the institution to certain classes of insane persons. That organic act has been recognized by two (2) important amendments of it, by repeated appropriations for the completion, improvement, and support of the establishment, and by no less than four (4) different extensions of its privileges. It is, therefore, claimed that the hospital is as much an established institution of the government, which it is bound to constantly maintain without embarrassment, as any bureau of the departments. If it be so, the regularity of the appropriations for the maintenance of the institution should not be hazarded by placing its estimates in the bill providing for "sundry civil expenses of the government," which embraces all occasional and temporary appropriations, and is usually delayed to the very close of the session, and is most likely to be finally defeated by what are known in the legislature of the country as "riders" and extraordinary provisions.

I have the honor to be, sir, very respectfully, your obedient servant,

C. H. NICHOLS, *Superintendent.*

Hon. JAMES HARLAN, *Secretary of the Interior.*

REPORT OF THE COLUMBIA INSTITUTION

For the Deaf and Dumb, for the year ending June 30, 1865.

OFFICERS OF THE INSTITUTION.

Patron—ANDREW JOHNSON, *President of the United States.*

President—EDWARD MINER GALLAUDET, A. M.

Secretary—WILLIAM STICKNEY.

Treasurer—GEORGE W. RIGGS, Jr.

Directors—Hon. AMOS KENDALL, Hon. BENJAMIN B. FRENCH, Hon. SALMON P. CHASE, Rev. BYRON SUNDERLAND, D. D., DAVID A. HALL, Esq., JAMES C. MCGUIRE, Esq.

NATIONAL DEAF-MUTE COLLEGE.

FACULTY.

EDWARD MINER GALLAUDET, A. M., *President and Professor of Moral and Political Science.*

R CHARD SALTER STORRS, A. M., *Professor of Linguistics.*

Rev. LEWELLYN PRATT, A. M., *Professor of Natural Science.*

Rev. WILLIAM W. TURNER, A. M., *Lecturer on Natural History.*

Hon. JAMES W. PATTERSON, *Lecturer on Astronomy.*

PETER BAUMGRAS, *Instructor of Drawing and Painting.*

ACADEMIC DEPARTMENT.

President—EDWARD MINER GALLAUDET, A. M.

Instructors—JAMES DENISON, A. M., JOSEPH HENRY IJAMS, A. B., SAMUEL A. ADAMS, MARY T. G. GORDON.

Instructor of Drawing—PETER BAUMGRAS.

DOMESTIC DEPARTMENT.

Family Supervisor—JOSEPH HENRY IJAMS, A. B.

Attending Physician—NATHAN SMITH LINCOLN, M. D.

Matron—Mrs. THOMAS H. GALLAUDET.

Assistant Matron—Mrs. ELIZA A. IJAMS.

COLUMBIA INSTITUTION FOR THE INSTRUCTION OF THE
DEAF AND DUMB, *Washington, November 6, 1865.*

SIR: In compliance with the acts of Congress making provision for the support of this institution, we have the honor to report its progress during the year ending June 30, 1865 :

The pupils remaining in the institution on the 1st of July, 1864,		
numbered.....		58
Entered during the year.....	22	
Dismissed during the year.....	9	
Died during the year.....	2	
	— 11	11
Remaining on the 30th of June last.....		69
Entered since June 30.....	14	
Dismissed since June 30.....	10	
Total number of pupils under instruction since July 1, 1864.....		94
Deaf-mutes, males, 56 ; females, 29 ; total.....		85
Blind, males, 4 ; females, 5 ; total.....		9

A catalogue of the names and former residences of the students and pupils instructed during the year will be found appended to this report.

In pursuance of authority conferred by Congress in an act approved February 23, 1865, the blind pupils hitherto instructed in this institution have been placed in the Maryland Institution for the Blind, at Baltimore.

The number transferred was seven ; six residents of the District of Columbia, and one whose father is in the regular army.

Our board, at a meeting held in June last, voted to transfer to the Maryland Institution, all our books, maps, and apparatus specially designed for the instruction of the blind, including a piano-forte donated a few years since by some benevolent ladies of Georgetown, to be used for those pupils who may be at any time in that institution, as beneficiaries of the United States.

It is believed that this removal of the blind to the institution at Baltimore will inure to their advantage, while it relieves our institution of a department never large enough to be successful in the highest degree.

Since our last report several changes have occurred in our corps of officers and instructors.

In January, William H. Edes, esq., an honored member of our board of directors, was removed from us by death.

In the same month our assistant matron, Mrs. Sophia G. Hunter, after a brief illness, passed away from the scenes of earth, and in March Judson Mitchell, esq., a member of our board since the organization of the institution, died at an advanced age.

The following extracts from the records of the board may be properly recorded here as evidences of the regard with which our departed co-laborers in the important work of building up this institution were held by us who survive them :

“Mr. Kendall, in behalf of the committee appointed at the last meeting to report resolutions touching the death of Mrs. Hunter and Messrs. Edes and Mitchell, submitted the following report and resolutions, which were unanimously adopted :

REPORT.

“The committee appointed to prepare some suitable testimonial in memory of our deceased directors, William H. Edes and Judson Mitchell, and of our deceased assistant matron, Mrs. Sophia G. Hunter, report as follows, viz :

"While the health of the pupils of this institution has, from its commencement, been so far preserved by a kind Providence, that there has never been within its walls a death from disease among them, His hand has during the past year borne heavily upon those who have been intrusted with its management.

"William H. Edes and Judson Mitchell were two of that small band of original directors whose disinterested contributions of time and money, under the most discouraging circumstances, brought the institution into existence, and gave it a character which at once commanded the confidence and patronage of the government.

"From first to last they were always faithful and devoted to its interests, and, before they were called to their reward, had the satisfaction of seeing it become one of the most prosperous institutions of the kind in this or any other country.

"As men Messrs. Edes and Mitchell had few or no superiors in every Christian virtue. Being members of a Christian church, they carried their religion with them in their transactions with their fellow-men.

"Their liberality to this institution was but an outburst of that charity to the needy and the suffering which diffused itself all around them during life, and hallows their memory in so many hearts.

"Their urbanity, their gentleness, and their disinterestedness made impressions upon the hearts of those associated and brought in contact with them in the affairs of the institution, which can never be erased.

"We know of no higher or more just tribute that we can pay to their memory than to pray to the Giver of all good that in benevolence and disinterested devotion to its interests all its present and future directors and managers may be like them.

"In the death of Mrs. Sophia G. Hunter the domestic circle of the institution has suffered a loss not easily repaired. Associated for several years with her honored mother as assistant matron, her special duty was to look after the female pupils when not under instruction. Though constantly laboring under feeble health, she performed her duties to those under her charge with remarkable assiduity and perseverance. They looked up to her as a mother, and no mother could be more kind to her own children in health, or nurse them more tenderly in sickness, than did Mrs. Hunter these children of misfortune. Being herself a devoted Christian, exemplifying in her daily life the practical virtues of her religion, she was well fitted to impress the expanding minds of her mute friends and direct them to that faith which leads from earth to heaven.

"Long will her memory be cherished, not only by the children who were the subjects of her unceasing solicitude, but by all who had the pleasure of her intimate acquaintance.

"*Resolved*, That the report of the committee, bearing testimony to the virtues and services of our late associate directors, William H. Edes and Judson Mitchell, and our assistant matron, Mrs. Sophia G. Hunter, be adopted as the sentiments of the board, and be entered upon its minutes.

"*Resolved*, That the secretary be instructed to communicate a copy of said report and of the foregoing resolution to the families of the deceased, and assure them of the profound sympathy of the members of this board in their bereavement."

The vacancies in the board, occasioned by the death of Messrs. Edes and Mitchell, have been filled by the appointment of Hon. Benjamin B. French, Commissioner of Public Buildings, and the Hon. Salmon P. Chase, Chief Justice of the United States.

To fill the place of assistant matron, Mrs. Eliza A. Ijams, of Georgetown, has been appointed.

Mrs. Ijams brings to her position experience as a teacher of youth, a knowledge of the sign language, and a heart full of sympathy for deaf-mutes, having two children now pupils in the institution.

Mr. Parish, for two years a member of our corps of instructors, relinquished his position in June last.

The vacancy thus created has been filled by the reappointment of Mr. Denison, whose retirement, on account of ill health, was mentioned in our last report. After a residence of a year in Vermont he returns to his work with strength renewed and interest unabated. In his past success in the difficult task of instructing deaf mutes, we have ample guaranty for the future.

Miss Gordon, formerly the instructress of the blind, remains with us as a teacher of the deaf and dumb. Having, during her residence here, availed herself of the opportunity to acquire a thorough knowledge of the language of signs, and being an experienced teacher of young children, she will prove a valuable acquisition to our corps of instructors.

The progress of our pupils since the date of our last report has been satisfactory, attesting the faithfulness and ability of their instructors.

The respective classes were examined at the close of the year in the presence of all the professors and teachers, and gave evidence, to those best qualified to form an intelligent judgment, of a very commendable degree of improvement since the last annual examination.

The youngest class, under instruction one year, has been taught by Mr. Samuel A. Adams, a deaf-mute.

The text-book used has been Part I of Dr. Peet's Elementary Lessons.

The class next in grade, under instruction two and a half years, has been taught by Mr. Roswell Parish.

The study and practice of language, in its simpler forms, has occupied the attention of this class. Rev. J. R. Keep's Elementary Lessons were used for a short period with good success; during the greater portion of the year, however, no text-book was followed.

The first or highest class in the primary course, under instruction five years, has been taught by Mr. Joseph H. Ijams.

The study of arithmetic has been continued; much attention has been paid to geography, outline maps being in constant use; English Grammar has been pursued for three months; exercises in English composition have been frequent, and the study of the Scriptural Catechism has been continued in this as in the other classes.

Instruction in pencil and crayon drawing, under the direction of Mr. Baumgras, has been afforded to a considerable number of our older pupils, and the progress made has been good in all cases, while in some an unusual facility in this branch of study has been evinced.

The health of our pupils has, on the whole, fallen below the average of former years. During the winter several severe cases of pneumonia occurred, and one case of erysipelas.

The frail nature and crowded condition of one of our buildings sufficiently explain the presence of sickness among us. These disabilities, however, we hope soon to remove by the occupancy of a new building now nearly completed, and the demolition of the frame structure we have been using.

One of our pupils, named John Strohmer, a boy of uncommon promise, died at his home in Baltimore, of scrofulous fever, during the Christmas vacation. He possessed a fine mind and a docile, amiable disposition. His example and influence were ever on the side of right among his companions, and his loss is deeply felt by teachers and pupils.

In the mechanical department but little progress has been made within the year now under review.

We still greatly lack suitable buildings for instruction in useful trades. Provision, however, has been made in our estimates of expenditure for next year to meet this want, and we are in hopes soon to be able to supply it.

In the mean time the labor of our male pupils has been used, as far as practicable, in the cultivation and improvement of our grounds.

The yield of vegetables and hay the past summer has been very large, and a great saving to the institution has resulted from our success in the cultivation of our land.

THE NATIONAL DEAF-MUTE COLLEGE,

By which title the advanced department, organized under the provisions of the act of Congress approved April 8, 1864, will hereafter be known and designated, has developed during the year to a most gratifying degree.

Five students, representing the States of Maine, Vermont, Connecticut, and Pennsylvania, have entered upon and are now pursuing the regular college course of study; while eight others, representing Ohio, Pennsylvania, Maryland and the District of Columbia, have joined the intermediate or preparatory class.

In the organization of the corps of instructors for the college the president has assumed the department of Moral and Political Science; Professor Storrs retains that of Linguistics, to which he was last year appointed; and the Rev. Lewellyn Pratt, A. M., for eleven years past a successful teacher in the Pennsylvania Institution for the Deaf and Dumb, has been appointed Professor of Natural Science. Professor Pratt will also take charge, for the present, of the mathematical recitations.

Instruction in art will be afforded to those of our students who desire it by Professor Baumgrass, who continues his connexion with the institution as Instructor of Drawing and Painting.

Rev. William W. Turner, A. M., of Hartford, Conn., one of the oldest and most successful of American instructors of the deaf and dumb, now retired from the active duties of the profession, has assumed a position in our faculty as Lecturer on Natural History.

Mr. Turner became connected with the American Asylum, as an instructor, in 1821, and continued to teach regularly for thirty-two years.

During one-half of this period he also filled the position of Family Guardian, and for the last year was the instructor of the Gallaudet High Class, now become the Gallaudet Scientific School. The high class was organized at his suggestion, and successfully inaugurated under his immediate supervision.

In July, 1853, Mr. Turner became principal of the institution with which he had been so long connected. He continued to fill this office until August, 1863, when he resigned his position and retired from the service of the honored and now venerable Alma-mater of American deaf-mute schools, having been identified with her history for an uninterrupted period of forty-two years and six months; the institution itself having been organized but three and a half years when he joined its corps of instructors.

Mr. Turner's annual visits to the college, and the lectures he will be prepared to present to our students in their own familiar language will be anticipated with great interest, and we trust may be many times repeated.

Hon. James W. Patterson, member of Congress from New Hampshire, and late professor in Dartmouth College, has kindly consented to deliver during the current year a series of lectures on astronomy.

Professor Patterson has on former occasions given evidence of his special interest in the college, and this new expression of his good will is highly appreciated.

His lectures, delivered in spoken language, will be rendered into the sign language by an interpreter. This translation being simultaneous with his uttered

words, at the same time not interfering with, or interrupting them, will of itself constitute an interesting exercise.

As the number of our classes increases year by year, we propose to add to the number of our professors, taking care that our corps of instructors shall come fully up to the average of college faculties in numbers, as we believe it will also in ability and fitness for the work to be accomplished.

From this exhibit of our present strength in the department of instruction, taken in connexion with the purpose just indicated, of adding to it as occasion requires, it must be evident that "The National Deaf-Mute College" offers to the deaf and dumb of the country educational advantages not hitherto afforded in any institution for the instruction of this class of persons.

In making this claim we do not desire to be understood as instituting any unfriendly comparisons, but simply as stating what we believe to be a fact.

We wish, in the plainest possible terms, to disavow any intention or desire to come in competition with any organization for the education of the deaf and dumb, so far as we understand the existing condition of the various institutions from published reports and private letters.

Our college is but the natural out-growth and supplement of the other institutions for the deaf and dumb. But for their marked triumph in the great effort to open the doors of the temple of knowledge to the soul-darkened deaf-mute, the college would have been an impossibility, and it is from their continued prosperity and advancement that the college must derive its main elements of strength and success.

We seek here to cultivate a field of effort hitherto untilled and unappropriated, and in the prosecution of our work we hope and expect to receive the cordial co-operation of every institution for the deaf and dumb, and of every principal, every instructor, and every friend of the peculiar class for whose advancement it is our common privilege and duty to labor. And thus sustained, we expect, with the blessing of God, to build up an institution which shall be truly national in its influence and relations; of which the people of our now united and free country may justly be proud; in which every one who has ever lifted a hand in the great work of deaf-mute instruction may feel he has an interest, and in the rearing of which every American instructor of mutes may properly feel he has borne a part.

We believe the all-powerful hand of Providence, which has thus far furthered the interests of our institution, has marked out this national work for us to perform: not because this institution above others is entitled to, or claims to possess any special pre-eminence in its ability to organize and conduct a college for the deaf and dumb, but simply because such a school must have an ample pecuniary support; because that support cannot properly be asked from any single State, but should be drawn from the national resources; and further, because the nation has by legal enactment authorized the organization and provided means for the support of the college whose successful inauguration and encouraging progress we have now the honor to report.

In fixing the standard of our course of study we have felt bound, since we assume the collegiate name, to make it the full equivalent of that adopted in similar schools of learning for the hearing and speaking.

Hence it is necessary that applicants for admission should have passed through not only the ordinary course afforded in our State institutions, but also a high class course.

It would be our preference that every institution should have its high class, and a uniform scheme of study be adopted throughout the country, so that a graduate of any State institution who desired to extend his range of intellectual acquirement should be prepared to enter at once on our college course. And we hope the day is not distant when, through mutual consultation and agreement, this most desirable result may be attained.

We find, however, that at the present time but few high classes exist, and no uniform standard of graduation prevails.

In order, therefore, to open the way for the worthy and intelligent graduates of any institution to participate in the advantages offered in the college, and at the same time to afford the pupils of our own primary department an opportunity to fit themselves to enter the college, we have organized an intermediate or preparatory class, corresponding in its grade with the existing high classes. Into this class we propose to receive those who, desiring to enter the college, have been unable in their respective State institutions to make full preparation therefor; their standing in the class depending on the advances they have made in study before coming to us.

These pupils will be instructed wholly by members of the College Faculty, and our object will be to prepare them as rapidly as practicable for admission to the Freshmen class.

The charge for board and tuition in the college, as in the other departments of the institution, is one hundred and fifty dollars per annum to those not entitled to free admission by congressional or legislative enactment.

Cases, however, have arisen, and will doubtless continue to present themselves, of worthy deaf-mutes, desirous and capable of pursuing a course of advanced study, who will find it out of their power to pay the above-named sum. To such applicants the directors propose to render assistance by remitting in whole or in part the usual charge, as circumstances seem to require, and as far as the means of the institution will admit.

This we are authorized to do by the fifth section of our organic act.

Candidates for admission to the Freshmen class are examined in arithmetic, English grammar, history (ancient and modern,) geography (modern and physical,) physiology, the elements of natural philosophy, algebra to quadratic equations, and the principles of Latin construction in their application to any familiar Latin author, regard being had more to the acquaintance evinced with the essential principles of Latin etymology and syntax than to the amount of literature read.

Classified abstract of the receipts and expenditures of the institution during the year ending June 30, 1865.

RECEIPTS.

Received from treasury United States	\$11, 775 00
“ “ State of Maryland for support of pupils	5, 705 07
“ “ city of Baltimore for support of pupils	3, 320 00
“ “ paying pupils	470 00
“ “ rent of houses	346 50
“ “ sale of house	400 00
“ “ sale of live stock	68 00
“ “ pupils for clothing	40 02
“ “ Hon. Amos Kendall for fencing	40 90
“ “ horse-keeping	24 25
“ “ students for books	27 80
Balance due the president	384 79
	<hr/>
	22, 602 33
	<hr/>

EXPENDITURES.

Balance from last year due the president.....	\$390 51
Expended for salaries and wages.....	8, 508 78
“ “ medicines	17 72
“ “ fuel and lights.....	1, 088 24
“ “ hay, oats and grain.....	932 88
“ “ piano-tuning.....	7 00
“ “ blacksmithing.....	68 13
“ “ hardware.....	108 90
“ “ books, stationery and printing	518 90
“ “ carriage and harness	390 33
“ “ daily household expenses, including vegetables.....	1, 249 92
“ “ dry goods and clothing.....	686 51
“ “ groceries	2, 546 16
“ “ medical attendance	152 00
“ “ meats	2, 999 88
“ “ repairs and improvements.....	429 89
“ “ furniture.....	624 39
“ “ butter and eggs	1, 794 71
“ “ milk	87 48
	<hr/>
	22, 602 33
	<hr/>

The failure on the part of Congress at its last session to pass the civil appropriation bill, in which provision was made for the support of the institution for the current year, would have placed us in a very unpleasant predicament but for your prompt and considerate action in the premises, and the willingness of the First National Bank of this city to advance the sums of money necessary for our maintenance until Congress should meet and provide for their reimbursement.

With the amount named in my letter of June 7, 1865, viz., twenty-five thousand two hundred dollars, we have been enabled to meet all current expenses and to carry forward the work on one of our extensions so that the roof is now being put on and the building nearly ready to encounter the winds and storms of winter without fear of injury.

The cost of this addition to our buildings will not exceed the original estimate; and if, as we expect, Congress makes the appropriations asked for last year, we shall be able to have this building ready for occupancy in the early summer.

In preparing our estimates for current expenses during the year ending June 30, 1867, we have thought it desirable to aggregate in one sum the amounts we have hitherto drawn from two sources.

The act of February 16, 1857, allowed us from the treasury one hundred and fifty dollars per annum for the support of each beneficiary placed in the institution by order of the Secretary of the Interior.

The act of May 29, 1858, authorized annual appropriations for salaries and incidental expenses.

The first act made what may be termed an indefinite appropriation, and the amounts drawn in pursuance of this law were never submitted in our estimates, although they have been reported in our annual statements of receipts and disbursements. The item, therefore, asked yearly for “salaries and incidental expenses,” while it appeared to present the whole amount wanted for the support of the institution, did not in reality do so.

We think it is due both to Congress and to the institution that this apparent inconsistency should be done away with, and we propose after Jne 30, 1866, to relinquish the per capita allowance of one hundred and fifty dollars. To enable us to take this step we have added the amount we should naturally have derived from this source to the amount we shall need for salaries and incidental expenses, and present the following estimate, viz :

For the support of the institution for the year ending June 30, 1867, including five hundred dollars for books and illustrative apparatus, twenty thousand seven hundred dollars. This amount, with the exercise of strict economy, will, we think, be sufficient to meet the current expenses of the institution in all its departments, and we respectfully recommend that Congress be asked to make the necessary appropriation therefor.

The unprecedented increase in the number of our pupils the past year, with the prospect that the coming year will witness a similar enlargement, makes it incumbent upon us to extend our buildings and to approach as rapidly as possible the completion of our plans. All our improvements thus far have been carried on in pursuance of a carefully considered and comprehensive design, and we are inclined to the opinion that few public works will, on inspection, give evidences of a fuller return for moneys expended than ours. All the construction has proceeded under the immediate supervision of the president, and our buildings, as far as erected, are of a most substantial character. We should complete, if possible, during the coming year, the building occupied by our academic department. We are much in need of a new brick barn and cow-house, those we are now using being very insufficient frame structures. An ice-house is quite essential to our domestic economy. We should erect a gas-house at the earliest possible period, and the interests of our male pupils demand an extension of our shop accommodations. It is also extremely important that we should under-drain our grounds and construct several new sewers. There is urgent need at the same time to continue the work upon the permanent enclosure of our grounds that the property of the institution may be protected from marauders and the products of the soil be secured to our use. The estimates which follow provide for all these improvements, and will, it is believed, in every case, be sufficient to complete the work contemplated :

"For the erection, furnishing, and fitting up of two additions to the buildings of the institution to furnish enlarged accommodations for the male and female pupils and for the resident officers of the institution, thirty-two thousand two hundred dollars.

"For the erection of a brick barn and cow-house, a shop extension, gas-house and ice-house, fourteen thousand five hundred dollars.

"For the improvement and enclosure of the grounds of the institution, including under-drainage and sewerage, four thousand five hundred dollars."

We respectfully recommend that Congress be asked to make the foregoing appropriations at its approaching session. We do this with full confidence that our benevolent work deserves and will continue to receive the approval and support of the representatives of a people never backward in sustaining institutions which aim to improve the minds or gladden the hearts of its children.

By order of the board of directors :

EDWARD M. GALLAUDET, *President.*

Hon. JAMES HARLAN,
Secretary of the Interior.

Catalogue of students and pupils—National Deaf-Mute College.

Senior.—* Mellville Ballard, Maine.

Freshmen.—James Cross, jr., Pennsylvania; John B. Hotchkiss, Connecticut; James H. Logan, Pennsylvania; Joseph G. Parkinson, Vermont.

Intermediate class.—Lydia A. Kennedy, Pennsylvania; George W. McAtee, Maryland; Robert Patterson, Ohio; John Quinn, Dist. of Columbia; Emma J. Speaks, Dist. of Columbia; Anne Szymanoskie, Dist. of Columbia; John H. Tims, Maryland; Isaac Winn, Dist. of Columbia.

Primary pupils.—James O. Amoss, Maryland; Joseph Barnes, Dist. of Columbia; Justina Revan, Maryland; Robert A. Beedle, Dist. of Columbia; Julius W. Bissett, Maryland; David Blair, Maryland; Mary J. Blair, Maryland; Melinda Blair, Maryland; Sarah B. Blair, Maryland; William Blood, Dist. of Columbia; John L. Brewer, Dist. of Columbia; Arthur D. Bryant, Dist. of Columbia; John E. Bull, Maryland; Gideon D. Bumgardner, West Virginia; John Carlisle, Maryland; Marietta Chambers, U. S. Army; James E. Colberry, Maryland; Florence L. Dammann, Maryland; Charles Dashiell, Maryland; Alexandre W. Dennis, Dist. of Columbia; Peter Duffy, Maryland; Lewis C. Easterday, Maryland; Mary J. Easterday, Maryland; Robert Ehlert, Maryland; Elizabeth Feldpusch, Maryland; Mary Feldpusch, Maryland; John P. Fitzpatrick, Maryland; George C. Fowler, Dist. of Columbia; Aaron Friedenrich, Maryland; William G. Gill, Maryland; Thomas Hagerty, Dist. of Columbia; Catherine Haldy, Maryland; Thomas Hays, Maryland; Charles A. Hughes, Dist. of Columbia; Mary M. Ijams, Dist. of Columbia; R. Plummer Ijams, Dist. of Columbia; Conrad Ingledaiger, Maryland; Anne Jenkins, Maryland; Amanda M. Karnes, Maryland; Isaac Kaufman, Dist. of Columbia; Andrew J. Lambdin, Maryland; Joseph H. Linton, Dist. of Columbia; Clara Leffler, Maryland; Margaret Maher, Maryland; Charles Mathaei, Maryland; Elizabeth McCormick, Maryland; Lydia A. Mitchell, Maryland; James Hickey Mooney, Maryland; Helena H. Nicol, U. S. Army; Henry O. Nicol, U. S. Army; Virginia A. Patterson, U. S. Army; William Peacock, Maryland; Jonathan Plowman, Dist. of Columbia; Hester M. Porter, Maryland; Georgiana Pritchard, Maryland; James H. Purvis, Dist. of Columbia; George Rommal, Maryland; Charles Schillinger, Maryland; Laura S. Shaw, Maryland; Aaron B. Showman, Maryland; Thomas T. Sprague, Maryland; Georgiana Stevenson, Maryland; Charles W. Stevenson, Maryland; John Stromer, Maryland; Susanuah Swope, U. S. Army; Samuel H. Taylor, Dist. of Columbia; John C. Wagner, Dist. of Columbia; Grace Webster, Maryland; Sarah J. Wells, Maryland; Henry C. Wentz, Maryland; William Wirlein, Maryland; Joseph White, Dist. of Columbia.

Blind.—Margaret Aitken, U. S. Army; Bridget Braan, Dist. of Columbia; John Germuller, Dist. of Columbia; Mary Germuller, Dist. of Columbia; Eliza A. Gibbons, Dist. of Columbia; John T. Gibbons, Dist. of Columbia; Alice Hill, Dist. of Columbia; Daniel O'Connor, jr., Dist. of Columbia; Francis T. Seyes, Dist. of Columbia.

REGULATIONS.

I. The academic year is divided into two terms—the first beginning on the second Thursday in September, and closing on the 24th of December; the second beginning the 2d of January, and closing the last Wednesday in June.

II. The vacations are from the 24th of December to the 2d of January, and from the last Wednesday in June to the second Thursday in September.

III. There are holidays at Thanksgiving and Easter.

IV. The pupils may visit their homes during the regular vacations and at the above-named holidays, but at no other times, unless for some special urgent reason, and then only by permission of the president.

V. The bills for the maintenance and tuition of pupils supported by their friends must be paid semi-annually in advance.

†VI. The charge for pay pupils is \$150 each per annum. This sum covers all expenses except clothing.

VII. The government of the United States defrays the expenses of those who reside in the District of Columbia, or whose parents are in the army or navy, provided they are unable to pay for their education.

VIII. The State of Maryland provides for the education in this institution of deaf-mutes whose parents are in poor circumstances, when the applicants are under twenty-one years of age, have been residents of the State for two years prior to the date of application, and are of good mental capacity.

Persons in Maryland desiring to secure the benefit of the provisions above referred to are requested to address the president of the institution.

IX. It is expected that the friends of the pupils will provide them with clothing, and it is important that upon entering or returning to the institution they should be supplied with a sufficient amount for an entire year. All clothing should be plainly marked with the owner's name.

X. All letters concerning pupils or applications for admission should be addressed to the president.

* Pursuing a scientific course.

† Deceased.

‡ See page —.

REPORT
OF THE
BOARD OF METROPOLITAN POLICE
FOR
THE YEAR 1865.

GEORGE S. GIDEON, <i>President.</i> WILLIAM H. TENNEY, <i>Treasurer.</i> SAYLES J. BOWEN. CHARLES H. NICHOLS. WILLIAM J. MURTAGH, and MAYORS of the cities of Washington and Georgetown.	}	Board of Police Commissioners.
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Secretary of the Board of Police.

THOMAS A. LAZENBY.

Clerks in the office of the Secretary.

SAMUEL E. ARNOLD.
WILLIAM G. BROCK.

Property Clerk of the District.

GEORGE R. HERRICK.

Superintendent of Police.

A. C. RICHARDS.

DEPARTMENT OF METROPOLITAN POLICE,
Office of Board, No. 483 Tenth st., Washington, D. C., Oct. 1, 1865.

To the honorable the Secretary of the Interior:

The Board of Police of the Metropolitan Police district of the District of Columbia begs leave respectfully to submit its fourth annual report of the condition of the police within said District, in accordance with the twenty-fourth section of the act of Congress entitled "An act to create a Metropolitan Police district of the District of Columbia, and to establish a police therefor," and approved August 6, 1861.

The act of Congress establishing the Metropolitan Police, and the amendments thereto, authorizes the board to appoint one superintendent, ten sergeants, six detectives, and a patrol force not exceeding one hundred and fifty men. During the past year the force has been maintained, as far as practicable, at its maxi-

num number. But even this number is entirely inadequate to the maintenance of a thorough and sufficient police system for this District. There are within our boundaries about seventy square miles of territory to be guarded by the above number of patrolmen, which gives, after making the necessary deductions for permanent details and sickness, less than an average of two men to a square mile. In the suburban and country portions of the District, even this low average cannot be assigned to duty without almost entirely uncovering the more densely populated and business portions of the cities of Washington and Georgetown. The board has therefore assigned one sergeant and eleven mounted patrolmen to do duty in the county of Washington outside of the corporate limits of the two cities. In addition to this number there is a detail of ten men for sanitary duty, five men for permanent special duty, and fourteen men detailed as roundsmen. These country patrolmen and the several details named deducted from the whole number of patrolmen, leaves one hundred and ten patrolmen for duty in the corporations of Washington and Georgetown. One-third of these one hundred and ten patrolmen, or thirty-six men, are assigned to day duty, and the other two-thirds, or seventy-two men, (omitting fractions in both cases,) are assigned to night duty. Now there are about two hundred and seventy miles of streets in the two cities, which, divided by the number of men on duty at night, gives a beat of three and three-quarter miles in length for each man; and divided by the number on day duty, gives seven and a half miles in length to each beat. This calculation makes no allowance for alleys, or for sickness of the men.

From the foregoing statement it will be seen that it is simply impossible, with the force now at the command of the board, to so station the patrolmen as to afford proper protection to the community. Experience teaches that each patrolman should so have his beat arranged, that he can easily see over the whole of it at any time. In New York, Philadelphia, Boston, and Baltimore, this arrangement of the beats is adopted. But here the small number of men on the force, and great extent of territory covered by the two cities, renders such an arrangement impossible.

Since the organization of the present police force, it is estimated that the population of this District has more than doubled, while no additions have been made to the number of men on the force; consequently the labors of the police have been greatly enhanced; in fact they have become greater than can be properly performed.

It should also be stated, that during and since the close of the rebellion large numbers of the worst and most desperate characters have been attracted here. While the war existed and troops were quartered in this vicinity, these men lived by robbing soldiers through various devices; and now that this occupation is taken from them by the close of the war, they prey upon our citizens as thieves and burglars. The mustering out of troops in our midst has been the means of leaving among us from this source large numbers of bad men, such as are found in all armies. It is personally known to us that many recruits and substitutes were taken from our District jail, where they were confined for crime, and put into the army. Of course most of these characters are again in our midst, ready to renew their vicious course of life. This condition of things demands that our police force be largely increased.

STATION-HOUSES.

The board urges the necessity of further and more definite legislation in regard to the erection of station-houses within the District. The corporation of Washington has provided in two of the precincts station-houses that are safe, convenient, and provided with all the modern improvements. In fact, probably no city in the country has better arranged buildings for police purposes. The building known as the central guard-house has within a few months been

turned over by the mayor of Washington to the board for its use. This building is now used by one of the precincts, and answers a very good purpose. In the remainder of the precincts the buildings in use are unsafe, inconvenient, discreditable, and unavoidably filthy, loathsome, and pestiferous. There is actual danger that prisoners may suffocate if confined in the cells attached to these buildings. In fact, two deaths have occurred in these cells during the past summer which were hastened, to say the least, by their foul condition. Humanity demands that some legislation be had which shall remedy this condition of these station-houses.

Besides, a proper state of discipline cannot be maintained among the officers of the force without accommodations for them at their respective station-houses. In order that the efficiency of the force may be kept up to a proper standard, there should always be a reserve force in each precinct, and this reserve should be provided with accommodations for sleep and rest while off duty. But, except in three precincts, no such accommodations exist; consequently, no reserve force for cases of emergency can be maintained at these stations. In the act creating the Metropolitan Police force Congress made it incumbent upon the three jurisdictions within the Metropolitan Police district to provide suitable station-houses for the several precincts. The law organizing the present system of police went into effect August 6, 1861. At the present time but three of the nine precincts contained within the District are provided with such station-houses as are worthy of the name, or that are at all adapted to police purposes.

THE POLICE TELEGRAPH.

The utility of the police telegraph, as an auxiliary to police operations, has been fully demonstrated during the past year. In fact, its benefits have been experienced to so great an extent that its loss would be regarded as an irreparable disaster. In cases of emergency the concentration of a large police force at any point, through the agency of this telegraph, can be accomplished in a very few moments; whereas, without its assistance, hours perhaps might be required to assemble an equal force.

During the year there has been transmitted through the central office by the police telegraph 7,833 messages, besides a large amount of business done between the precinct stations which did not pass through the central office.

There being no special provision of law under which the board felt authorized to pay for this telegraph, the contractors yet remain unpaid. The price fixed is \$15,000. The board would respectfully recommend such legislation as will enable it to pay this sum, and trust that you will unite in urging it upon Congress at an early day.

MAGISTRATES' COURTS.

The Board of Police desires to urge upon Congress a radical and immediate reform in the system of magistracy in vogue in this District. There are now a large number of persons in the District who hold commissions as justices of the peace, many of whom are acting as magistrates. These magistrates do not appear to be accountable to any authority for their acts, and they make no report of their proceedings. It is doubtful whether some of them even keep a docket. Each of these magistrates usually has about his office one or more men known as county constables, self-styled "detectives," who apparently hold some kind of connexion with the magistrate in the way of "working up" cases and bringing business to his (the magistrate's) office. To say the least, the present system is loose and unsatisfactory, and by corrupt and unprincipled men may be prostituted to base and mercenary ends.

HOUSE OF CORRECTION.

The board again urges upon Congress that some provision be made for the detention and punishment of juvenile offenders within this District. Frequently it becomes necessary for magistrates to commit youths of tender years to the common jail, there to associate with the worst and most abandoned characters. But more frequently the magistrates feel it to be their duty to dismiss such offenders, simply because, in their opinion, the ends of justice would be better served by so doing. In either case these youths are not deterred from future crimes; the first-named cases become more hardened in their course of wickedness by contact with old and desperate criminals, while the latter class consider their dismissal as a license to continue their depredations. In this manner the course of law tends, unintentionally, towards nursing the worst passions of already depraved youthful offenders.

DETECTIVE DEPARTMENT.

The board, in accordance with an act of Congress, has appointed and organized a detective force consisting of six officers only. The importance and efficiency of this department will be best illustrated by the following statement of the operations of the detectives, viz:

Number of robberies reported at the detective office.....	701
Number of arrests made by the detectives.....	717
Amount of property reported stolen.....	\$170,659 09
Amount of property recovered by the officers.....	122,800 06
Amount of property turned over to property clerk.....	6,894 22
Amount of property turned over to claimants.....	115,905 84
Amount of property taken from prisoners and returned to same.....	4,942 15

The above shows only a portion of the actual work performed by these officers. Frequently their services are required where property is not involved, and more frequently it becomes their duty to prevent thefts, robberies and crimes by arresting known thieves who visit this community before they have an opportunity to accomplish their designs.

SANITARY COMPANY.

During the past year this company has been busily engaged, and has performed a very large amount of work which has been of inestimable value to the health of the community. The whole number of complaints attended to during the year are as follows:

Number of nuisances reported at central office.....	3,247
Number of nuisances abated.....	3,155
Number of nuisances unabated.....	92
Number of warrants served.....	233
Amount of fines imposed.....	\$1,154 76

Besides the above, 517 dead horses have been removed, 74 persons have been buried, and 25 persons sent to hospitals.

DISCIPLINE OF THE FORCE.

For the purpose of maintaining the efficiency of the force, together with a proper state of discipline, the board has, on investigation of charges preferred, dismissed 26 members from the force; has imposed fines in 11 cases; has reprimanded in 4 cases, and reduced one sergeant to the ranks.

RECAPITULATION.

The following is a recapitulation of the work done by the police force during the past year, a more extended exhibit of which will be gathered from the annexed table:

The whole number of arrests during the year has been 26,478, of which 20,477 were males, 6,001 females; 9,745 were married; 16,733 were single; 17,274 could read and write; 9,204 could not read or write.

The offences may be classified as follows:

Offences against the person—13,786 males, 4,781 females.

Offences against property—6,701 males, 1,210 females.

Of the cases reported, the following disposition has been made: 1,377 have been committed to jail, 706 have given bail, 1,452 have been turned over to the military, 7,984 have been dismissed, 1,932 have been committed to the workhouse, 828 have given security to keep the peace; in 181 cases no report has been made of the disposition, and in 531 cases various light punishments have been inflicted, and they have been classed upon the records under the head of miscellaneous.

Fines have been imposed in 11,487 cases, amounting in all to \$61,943 92, as follows:

In Washington city, including a part of the county	\$53,963 24
In Georgetown, including a part of the county	5,073 01
For selling liquor to soldiers, imposed under the act of Congress	2,907 67
	<hr/>
	61,943 92
	<hr/>

PROPERTY OPERATIONS.

The whole amount of property received by the property clerk during the year, as per his reports, amounts to	\$32,649 50
The whole amount of property delivered by the property clerk during the year, as per his reports, amounts to	31,302 02
Total amount of property and money delivered during the year by order of the magistrates, and of which the property clerk has no account	286,468 66
	<hr/>
	350,420 18
	<hr/>

The number of destitute persons furnished with lodging has been, during the year	2,321
Lost children restored to parents	114
Sick or disabled persons assisted or taken to hospital	154
Horses or cattle found estray	78
Doors left open and secured by the police	10
Fires occurring in the District	75
Horses and vehicles, found estray, restored to owners	34

Compared with previous annual reports, this report shows that the number of arrests during the past year are nearly three thousand more than during any former year; and that the fines imposed are nearly double the amount of any previous year, reaching the very extraordinary sum of \$61,943 92. It may be proper here to state that the actual expense to the corporations of Washington and Georgetown and the county of Washington, of the present police force, is about \$45,000. This sum, deducted from the amount of fines imposed

and paid over to these jurisdictions under the present system, gives a difference of \$16,943 92. Hence it will be observed that the Metropolitan Police system of this District is an actual source of revenue to the District to the amount of nearly \$17,000. There is probably no other community in our country whose police system produces a net revenue to its finances.

In conclusion, the board earnestly requests your co-operation in urging upon Congress such legislation as may be necessary to remedy the defects referred to in the foregoing report, and thereby increase the efficiency of the police force.

Very respectfully, your obedient servant,

GEORGE S. GIDEON, *President.*

No. 1.—*Table showing the disposition of the force.*

Precincts.	Sergeants.	Detailed.	Patrolmen.	Vacancies.	Total.
1.....	1	.....	3	.....	4
2.....	1	.....	9	.....	10
3.....	1	1	16	1	19
4.....	1	1	14	.....	16
5.....	1	.....	18	.....	19
6.....	1	1	16	1	19
7.....	1	1	24	.....	26
*8.....	1	1	17	.....	19
10.....	1	.....	17	.....	18
Sergeants.....	.....	1	.....	.....	1
Detectives.....	.....	.....	5	1	6
Sanitary.....	.....	.....	9	.....	9
	9	6	148	3	166

* During the year the 8th and 9th precincts were consolidated by the Board of Police.

No. 2.—*Table showing time lost by sickness and other causes.*

Precincts.	Days.
1.....	78
2.....	237
3.....	711
4.....	176
5.....	387
6.....	317
7.....	638
8.....	538
10.....	392
Detectives.....	86
Sanitary.....	123
Total.....	<u>3,683</u>

No. 3.—Table showing number of arrests in each precinct.

Precincts.	Males.	Females.	Total.
1.....	182	50	232
2.....	1,472	447	1,919
3.....	2,022	550	2,572
4.....	1,047	464	1,511
5.....	3,417	1,202	4,619
6.....	2,473	413	2,886
7.....	5,015	1,172	5,187
8.....	1,840	525	2,365
10.....	2,412	1,036	3,448
Detectives.....	597	142	739
Total.....	20,477	6,001	26,478

No. 4.—Table showing the ages of the males arrested classified.

Precincts.	From 10 to 20.	From 20 to 30.	From 30 to 40.	40 and over.	Total.
1.....	23	55	51	53	182
2.....	176	560	430	306	1,472
3.....	303	686	555	478	2,022
4.....	162	363	229	293	1,047
5.....	496	1,859	673	389	3,417
6.....	565	825	576	507	2,473
7.....	829	1,929	1,337	920	5,015
8.....	320	632	484	404	1,840
10.....	472	1,035	524	381	2,412
Detectives.....	117	326	95	59	597
Total.....	3,463	8,270	4,954	3,790	20,477

No. 5.—Table showing the ages of the females arrested classified.

Precincts.	From 10 to 20.	From 20 to 30.	From 30 to 40.	40 and over.	Total.
1.....	2	15	23	10	50
2.....	35	220	138	54	447
3.....	55	201	187	107	550
4.....	58	173	129	104	464
5.....	265	731	135	71	1,202
6.....	80	156	115	62	413
7.....	217	437	351	167	1,172
8.....	75	202	163	85	525
10.....	191	558	201	86	1,036
Detectives.....	31	89	14	8	142
Total.....	1,009	2,782	1,456	754	6,001

No. 6.—*Recapitulation of offences classified.*

Offences against the person.	Males.	Females.	Total.
Adultery.....	1	2	3
Assault.....	156	37	193
Assault and battery.....	962	185	1,147
Assault and battery with intent to kill.....	73	5	78
Assault on policemen.....	7	.....	7
Attempt at rape.....	15	.....	15
Abduction.....	3	1	4
Aiding and assisting to escape.....	13	.....	13
Accessory to murder.....	3	.....	3
Bigamy.....	4	2	6
Bastardy.....	5	.....	5
Disorderly conduct.....	4,899	2,337	7,236
Deserters.....	115	.....	115
Fast riding or driving.....	136	12	148
Fighting in the streets.....	612	62	674
Fugitives.....	38	30	68
Habitual drunkenness.....	2	4	6
Intoxication.....	2,876	403	3,279
Intoxication and disorderly.....	2,662	770	3,432
Insanity.....	4	.....	4
Indecent exposure of the person.....	63	7	70
Interfering with policemen.....	3	.....	3
Keeping disorderly house.....	17	19	36
Keeping bawdy house.....	14	63	77
Miscellaneous misdemeanors.....	306	475	781
Murder.....	16	2	18
Perjury.....	11	2	13
Rape.....	7	.....	7
Rioting.....	55	1	56
Resisting officer.....	9	1	10
Threats of violence.....	439	180	619
Vagrancy.....	250	178	428
Witness to murder confined in default of security.....	10	3	13
Total.....	13,786	4,781	18,567

No. 7.—*Recapitulation of offences classified.*

Offences against property.	Males.	Females.	Total.
Arson.....	9	2	11
Attempt at arson.....	4	.....	4
Attempt to steal.....	59	1	60
Attempt at burglary.....	3	.....	3
Burglary.....	41	.....	41
Cruelty to animals.....	18	.....	18
Embezzlement.....	1	.....	1
Forgery.....	19	.....	19
Fraud.....	110	11	121
Grand larceny.....	1,183	414	1,597
Gambling.....	103	2	105
Malicious mischief.....	134	29	163
Obtaining goods or money under false pretences.....	43	5	48
Passing counterfeit money.....	35	4	39
Petit larceny.....	442	155	597
Pickpockets.....	54	2	56
Robbery.....	95	5	100
Receiving stolen goods.....	69	27	96
Suspicion.....	826	97	923
Violation of corporation ordinances.....	3,453	456	3,909
Total.....	6,701	1,210	7,911

No. 8.—*Nativity of those arrested classified.*

Nativity.	Number.	Nativity.	Number.
United States, white	10, 364	Norway	2
United States, colored	6, 796	Mexico	6
Ireland	6, 647	Russia	3
Germany	1, 952	Prussia	6
Italy	103	Greece	2
England	299	Austria	2
France	90	Portugal	4
Scotland	95	Hungary	2
Canada	62	Denmark	1
Poland	14	Belgium	2
Spain	7	Holland	3
Switzerland	11	Cuba	1
Wales	3		
Sweden	1		
			26, 478

No. 9.—*Table showing trades and callings of persons arrested.*

Artists	13	Engineers	32
Architects	2	Engravers	10
Apprentices	13	Fishermen	53
Auctioneers	3	Farmers	239
Actors	9	Firemen	32
Agents	54	Grocers	103
Boatmen	134	Gardeners	40
Barbers	177	Gamblers	25
Basket-makers	1	Groggery-keepers	454
Barkeepers	241	Gas-fitters	79
Bookkeepers	6	Hackmen	642
Blacksmiths	217	Hatters	14
Bricklayers	95	Hotel-keepers	64
Brick-makers	39	Hucksters	267
Butchers	182	Housekeepers	1, 598
Bakers	178	Horse-farriers	3
Bookbinders	31	Hostlers	63
Brewers	28	Harness-makers	24
Brokers	7	Jewellers	37
Boiler-makers	10	Junk shop-keepers	7
Bill-posters	3	Laborers	5, 501
Block and pump makers	4	Lawyers	41
Carpenters	383	Livery-stable keepers	36
Chair-makers	2	Mechanics	53
Clerks	741	Merchants	407
Cigar-makers	34	Machinists	105
Confectioners	53	Musicians	25
Contractors	15	Millers	12
Coach-makers	18	Messengers	33
Cabinet-makers	32	Magistrates	1
Cartmen	177	Marines	48
County constables	10	Moulders	42
Coopers	31	Newsboys	24
Clock-makers	14	Nurses	6
Coachmen	6	Occupation unknown	1, 190
Cooks	89	Oystermen	21
Conductors	25	Organists	1
Dress-makers	7	Peddlers	213
Dentists	5	Printers	151
Dairymen	48	Physicians	36
Drovers	11	Plasterers	73
Dyers	10	Prostitutes	2, 735
Druggists	14	Painters	122

Table showing trades and callings of persons arrested—Continued.

Pavers	25	Stewards	2
Pawnbrokers	5	Ship-carpenters	1
Police officers	7	Silversmiths	2
Preachers	5	Stage-drivers	1
Porters	17	Tailors	115
Policy dealers	2	Teamsters	480
Restaurant-keepers	375	Tinners	54
Rag-pickers	18	Tobacconists	37
Rope-makers	10	Telegraphists	1
Riggers	11	Tanners	9
Reporters	7	Thieves	130
Soldiers	3,082	Tavern-keepers	171
Servants	1,792	Upholsterers	22
Shoemakers	173	United States detectives	25
Sutlers	82	Wood-cutters	1
Stonecutters	72	Washerwomen	109
Schoolmasters	13	Watermen	4
Sailors	600	Wheelwrights	27
Saddlers	53	Watchmen	90
Students	168	Wagon-masters	36
Shoe-blacks	400	Weavers	1
Scavengers	20		
Sail-makers	13		
Seamstresses	42		
			26,478

FIRST ANNUAL REPORT

OF THE

WARDEN OF THE JAIL IN THE DISTRICT OF COLUMBIA.

NOVEMBER 1, 1865.

In accordance with an act of Congress requiring the warden of the jail to make an annual report to the Secretary of the Interior, I have the honor to submit the following :

On the 12th of August, 1865, I entered upon the discharge of my duties as warden of the jail. I found it to be in a very dilapidated condition, and very insecure for the class of desperate characters confined therein. With all the care and watchfulness exercised in guarding the prisoners, still it is of frequent occurrence that they are detected in cutting holes through the walls to make their escape. I have found it necessary to iron-clad three of the cells, and otherwise to improve the building, to make it more secure.

There are in the building 22 cells 8 feet by 10, and 10 rooms large enough to accommodate about six persons in each. The jail, when built, was intended to accommodate about 100 prisoners. At times the number has been as large as 300, and these had to be crowded into cells and rooms intended to accommodate but 100.

On account of the structure of the jail little or no ventilation is had, and in warm weather particularly the air is so obnoxious that sickness is frequently the result. The rooms being all occupied and frequently crowded, we have no place to which we can remove the sick and use as a hospital. It is very important that a hospital department should be connected with the prison, that the sick may have that attention and pure air which they need.

The provisions for the jail, I believe, are as good as are furnished in any other prison elsewhere. The rations consist of mackerel, with wheat bread and coffee, for breakfast ; beef and corn bread for dinner. Salt fish, bacon, beans, potatoes and soup are also served them on different days, while the sick have rice, tea, molasses, and good wheat bread.

In regard to the discipline of the prison, it is as good as can be expected. I have been much aided in this respect by some of the officers of the jail, who have had much experience in prison matters. I am opposed to cruel punishment of prisoners, believing that kindness and firmness on the part of the officers will have the desired effect of maintaining good order. Instead of punishments which have heretofore been inflicted upon prisoners for a violation of the rules of the jail, I have had five new cells constructed out of recesses, and those who are refractory are placed in solitary confinement in these cells for a punishment. This plan works well.

An improvement within the past year is the construction of a sewer in the yard, which carries off all the offal and waste water. With a plentiful supply of Potomac water, we are able to keep the yards and building in a tolerably clean condition.

When I took charge of the jail the number of prisoners was 149. Since then the number has increased to nearly 300. At present, November 1, we have 227.

The following is the number of commitments, offences for which committed, character of the prisoners, number of sick, &c.:

Number of commitments from August 12 to November 1, 1865, 537.

For Murder.....	5
Robbery.....	51
Larceny.....	275
Burglary.....	22
Assault with intent to kill.....	23
Assault and battery.....	33
Attempt at rape.....	4
Horse-stealing.....	62
Garroting.....	6
Keeping bawdy-house.....	6
Security for peace.....	20
Forgery.....	2
Passing counterfeit money.....	6
Pickpockets.....	5
Poisoning.....	4
Fraud.....	2
Bastardy.....	2
Selling liquor to soldiers.....	6
Riding over and killing.....	3

Total..... 537

Number of convictions for penitentiary since August 12, 1865.....	45
Sent to jail (sentenced).....	32

Of all the prisoners committed to jail since August 12, 1865—

White men.....	283
White women.....	25
White boys under 16 years of age.....	2
Colored men.....	179
Colored women.....	44
Colored boys under 16 years of age.....	4

537

Number sent to Insane Asylum since August 12.....	2
Number sent to House of Refuge, Baltimore, since August 12.....	1
Average number of sick per day.....	17
Number of prisoners escaped jail since August 12.....	8
Number of prisoners recaptured since August 12.....	6

In regard to the expenses of the jail, I would say, that as no books were kept at the jail by my predecessor, and as all the bills contracted under his administration have not been rendered, I am only able to give the expenses since I entered upon the discharge of my duties as warden, which are as follows:

For repairs on jail from August 12 to November 1, 1865.....	\$1,548 97
Cost of subsisting prisoners.....	2,481 93
Fuel, medicines, bedding, clothing, &c.....	2,010 60
Transportation of prisoners to Albany, Asylum, and House of Refuge.....	1,063 98
Pay of officers and laborers at jail.....	2,710 80

Total..... 9,816 28

In regard to the boys and girls under 16 years of age, I am happy to state that arrangements are being perfected for a temporary house of refuge, to which these unfortunate children will be removed. The whole number of these cases now under my charge, including those who have not had a trial, is 5 white boys, 10 colored boys, and 3 colored girls—total, 18.

In conclusion, I would most respectfully call your attention to the importance of a new jail. As I have shown that from two to three hundred prisoners are confined in a building the capacity of which was never intended for more than one hundred; also, that the ventilation of the cells is so very insufficient that great danger of disease exists; also, that a hospital department is much needed for the comfort of the sick; also, the insecure and unsafe condition of the jail for the class of desperate characters confined therein, may we not hope that Congress will be pleased to make an appropriation for a new jail and house of refuge?

In connexion with this subject, I would state that I have recently examined a design for a new jail and house of refuge, by Charles F. Anderson, esq., which I would highly recommend. Some of the important features of his design are the complete ventilation of the cells, the excellent arrangement for watching the prisoners, the security of the buildings, the hospital department, and last, but not least, the chapel, where prisoners can have the benefit of religious instruction on the Sabbath. The location on government reservation 13, near the alms-house, will, I am satisfied, be the best location that can be selected. One of the greatest improvements for this city of magnificent distances would be the removal of the unsightly and dreary-looking building called the jail, and a new prison constructed in the suburbs of the city which would be in harmony with our beautiful public edifices. Washington, the capital of the nation, should have such prisons as would be models for all our principal cities.

Respectfully submitted.

T. B. BROWN, *Warden*.

Hon. JAMES HARLAN,
Secretary of the Interior.

LETTER
FROM
THE MAYOR OF WASHINGTON
IN REFERENCE TO THE
RELATIONS OF THE GENERAL GOVERNMENT
TO THE
CITY OF WASHINGTON.

MAYOR'S OFFICE.
Washington City, D. C., November, 1865.

SIR: Presuming upon your well-known interest in whatever concerns this city, as well as your often-expressed wish to give your aid in making it worthy of being the metropolis of this great nation, and in the expectation that the several subjects herein alluded to, or such thereof as may meet your approval, may be by you communicated to Congress, I venture to suggest wherein I think its action is needed. In doing so I deem it proper that such of the several members who are not familiar with it should be informed first as to

THE RELATIONS OF THE GENERAL GOVERNMENT TO THE CITY OF WASHINGTON.

In the year 1789 the locality of the city of Washington was, through the influence of General Washington, and after much difficulty in Congress, selected as that of the national metropolis, and in the year 1800 the archives of the government were removed here from Philadelphia:

- 1st. Because of its geographical position between the north and the south.
- 2d. The access to it from the ocean.
- 3d. Its distance in the interior and towards the west.

The object of having a permanent seat of government is indicated in the Constitution, which provides that Congress shall "exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of government of the United States."

To accomplish this object the District was ceded by the States of Maryland and Virginia, possession taken by Congress, and commissioners were appointed in 1790 by the then President, General Washington, under authority of Congress, and empowered to "survey and, by proper metes and bounds, define this territory, and to purchase or accept such quantity of land on the eastern side of the Potomac river, within such District, as the President shall deem

proper for the use of the United States, and, according to such plans as the President shall approve, provide suitable buildings and accommodations for Congress, the President, and for the public officers of the government."

While a succession of hills and valleys, the site of this city was selected as the permanent seat of the government of the United States from that portion of the District of ten miles square ceded by the State of Maryland. It is the creature of Congress and the general government, for their own purposes and where they have unlimited control, can regulate and govern without the interference of the States, and is not dependent upon the will or resources of any particular portion of the Union, and can never be the subject of local interest. It is the nation's city, common to the whole country; and as a State capital is to its State, so the metropolis of the nation should be to all the States and every American a subject of pride and interest.

No policy can be more correct than that of making the metropolis of this vast republic worthy of the powerful and extended nation of which it is the focus. The economy or parsimony which would cripple its growth will be anti-national. Much has been done by previous Congresses and administrations for its improvement; much more remains to be done; and while this city has expended out of the taxes paid by its citizens large sums in opening, making, and repairing streets and sidewalks required by a sparse population scattered over a large area, and has opened and improved indiscriminately those leading to and around the public reservations and buildings belonging to the general government, enhancing the value of the nation's property, the government has spent upon streets and avenues laid out inordinately wide and to suit its own purposes and convenience, and over part of which they exercise exclusive control, comparatively little, and that little on Pennsylvania avenue and those streets and avenues around the Capitol, President's House, executive departments, and other of its own exclusive property, the improvement of which was indispensable to its convenience and promotive of its interest.

The obligation of the general government to do much towards the improvement of this city cannot be doubted. There was, if not expressed, certainly an implied contract to do so, and for which the general government received a valuable consideration.

When the city was laid out, the owners of the soil gave to the general government not only enough for the streets and avenues of such unparalleled width, but likewise every alternate building lot, and nominally sold to the government at the minimum price of £25 an acre, or \$36,099, all the large reservations on which its public buildings stand. Of the 7,134 acres of land comprising the whole area of this city, the government obtained as a free gift and without the cost of a dollar—

	Acres.
For streets and avenues.....	3, 606
10,136 building lots.....	1, 508
And nominally purchased.....	512
	<hr/>
	5, 626
Leaving to the proprietor of the soil every alternate lot.....	1, 508
	<hr/>
	7, 134
	<hr/>

The whole area of the city, exclusive of all east of Twenty-fifth street east, and of the basin at the west end of the canal, is 6,110.94 acres, or 266,192,564 square feet, divided as follows :

	Square feet.
Public reservations.....	25, 189, 402
Building lots.....	121, 095, 214
Alleys.....	7, 141, 105
Avenues, streets, and open spaces.....	112, 767, 225
Total.....	226, 192, 546

	Feet.
The total length of the streets is.....	1, 119, 663
The total length of the avenues is.....	183, 797

Aggregate.....	1, 303, 460
or 227 $\frac{83}{100}$ miles.	

Of the 227 $\frac{83}{100}$ miles of streets, nearly all have been opened and graded ; and to pave them, with their unusual widths, especially the avenues, and keep them in repair, suggests the necessity of doing something to relieve this corporation and property owners from the very heavy tax on their resources that would be necessary.

The adoption of the plan of wide streets and avenues was by General Washington, for some practical utility, though it may not as yet have been developed, and if a way of obviating the difficulty could be found without ultimately and permanently destroying that plan, it would be a temporary relief, and, until the utility of wide streets should be developed, it would be well to avail ourselves of it. The streets running from north to south, designated by numbers, and from east to west, designated by letters, crossing each other at right angles, are cut diagonally by twenty-one avenues, bearing the names of that number of States, fifteen of which point towards the States after which they are respectively named. These avenues, leading to and from every particular place or building, connecting every part of the city, and serving as main arteries, form at their junction with the streets five circles, fourteen triangles, twelve reservations, and eleven thousand and seventy squares, the circles and triangles being intended for ornamentation with fountains and statuary, the reservations for the public buildings, and the squares for individual purposes of stores and residences. It was the conception of a grand plan of a model city, worthy of the name of its illustrious founder.

The general government and the proprietors of the soil were joint owners of all the property (land) on which the federal city is built, in the proportion of 5,626 to 1,508 acres, 5,114 acres of the government's portion having been obtained without cost, and 512 acres, though nominally purchased, were really paid for out of the moneys arising from the sale of the very alternate lots so generously given by the proprietors of the soil, with the understanding that they were given for the improvement of their joint property, and, as was the expectation of all persons, that the property so acquired by the government would, under its management, be immensely productive, enabling it to spend large sums in the improvement of the city. The government is, therefore, bound by every principle of justice to pay a portion of the expense of improving the federal city, equal to the extent of its interest, greatly more than one-half, and which was to be increased in value and be benefited by such improvements.

Of the 10,136 lots given by the proprietors for the purpose of improving the federal city, 6,411 were sold previously to the year 1802, at a time when not in

demand and there were but few bidders for them, and of the proceeds of the sale—\$642,682 62—\$330,508 08 was applied towards building the Capitol, and \$240,632 87 towards the erection of a mansion for its Chief Magistrate.

The remainder of these lots, a free gift to the general government, and, as was well understood at the time "that whatever moneys were realized therefrom would at least be expended for the benefit of that city," of the soil of which the donors and the general government were joint owners, were, with the exception of \$25,000 worth each given to Columbia and Georgetown colleges, \$10,000 each to the Washington and St. Vincent's Orphan Asylum, from time to time sold and the money expended in improving the property reserved for the use of the general government, the salaries and office expenses of its own officers, the Commissioners and Superintendent of Public Buildings, and President's gardener and for manure and utensils for his garden.

Neither the donors, the original proprietors, nor the donees (the general government) at that time contemplated that the large sums of money arising therefrom should be spent otherwise than in the improvement of their joint property, and certainly no one supposed that the whole or even an equal portion of the burden of opening and keeping in repair streets, laying sidewalks, building bridges, and doing whatever might be necessary to a new and large city intended for the capital of a great nation, or indeed of subsequently maintaining and supporting it, should be borne by the citizens of Washington alone.

Upon the property reserved for the use and purposes of the nation the general government has expended in buildings and other improvements for its own exclusive use the sum of \$14,709,338 67, partly taken from the public treasury, and partly from the sale of the lots donated from private individuals, while the reservations themselves are valued at \$13,412,293 36, making the aggregate value of the nation's real property in this city at the time of the assessment, now some years since, to be \$28,121,631 45, nearly equal in value to all individual property, and which, if liable to the same burden, would yield by way of taxation a revenue to this city of \$210,912 23 annually.

This immense property of the government has at all times been free from taxation, while property of individuals has been subject to it.

Holding here more property than elsewhere in the Union, assessments upon which alike to private property have from time to time been made, the government has been subject to no imposition of the kind, and taxes collected only from individuals.

The avenues vary from one hundred and twenty to one hundred and sixty feet in width, and the streets from eighty to one hundred and forty feet, the average being ninety feet, costing more than double the amount of streets of the same length and more moderate dimensions, and as it has not grown in the usual manner, but has necessarily been created in a short time, the pressure for improvement has been burdensome to its citizens.

If, therefore, Congress would allow—and I see no reason why it should not—the property of the general government in this city to bear its equal proportion of the burden of maintaining and supporting the municipal government, of improving their own and the citizen's joint property, of supporting the great number of indigent persons attracted to the seat of government, and of educating the children of the thousands flocking here from all sections of the country, no more could or would be asked.

Charge the general government with the money realized from the sale of the lots, and which should have inured to the benefit of the city, the interest thereon, and with a rate of taxation on its vast property here as is paid by individuals, and credit it with every dollar spent and properly chargeable to the improvement of the city, it will be found that the general government is greatly debtor to the city.

INDEBTEDNESS OF THE GENERAL GOVERNMENT TO THE CITY.

It was not, however, until the citizens of Washington had borne so unequal a burden for a long time, that Congress, admitting the propriety of at least spending in the improvement of the city what was realized from the sale of the lots given by the original proprietors of the soil, on the 15th day of May, 1820, by the 15th section of an act of that date, directed "that the Commissioner of Public Buildings, or other person appointed to superintend the United States disbursements in the city of Washington, shall reimburse to the corporation a just proportion of any expense which may hereafter be incurred in laying open, paving, or otherwise improving any of the streets or avenues in front of, or adjoining to, or which may pass through or between any of the public squares or reservations, which proportion shall be determined by the comparison of the length of the fronts of the said squares or reservations of the United States on any such street or avenue with the whole extent of the two sides thereof."

At this time, May 15, 1820, there remained of the lots so given by the original proprietors 3,725, all of which have been sold at greatly enhanced prices, and the money paid into the treasury, and this corporation has since then, from time to time, advanced sums of money to the general government which it is entitled under this act to have refunded, and which yet remain unpaid, as follows:

March 23, 1855. Sewer in Four-and-a-half street, in front of reservation between Missouri avenue and the canal.....	\$1,000 00
September 17, 1855. Grading and gravelling Seventeenth street, in front of President's grounds down to the canal.....	1,000 00
August 26, 1856. Paving carriage-way of Ninth street west, from B street to Pennsylvania avenue.....	2,582 16
May 27, 1857. Advanced by the corporation of Washington for the repair of the Long bridge.....	5,000 00
May 12, 1860. Trimming and gravelling I street north, from Sixth to Seventh street west.....	206 50
September 14, 1860. Enclosing Judiciary square, (under act of Congress approved March 3, 1857.).....	2,500 00
October 20, 1860. Repairing Missouri avenue, from Four-and-a-half to Sixth street west.....	200 00
April 27, 1861. Grading and gravelling G street north, from Fourth to Fifth street west.....	113 63
November 2, 1861. Sewer in Thirteenth street, in front of government space between Pennsylvania avenue and E street....	1,500 00
April 17, 1862. Improvement of Four-and-a-half street, from Missouri avenue to Maine avenue.....	244 00
May 20, 1862. Loaned to Commissioner of Public Buildings for cleaning Pennsylvania avenue.....	1,500 00
September 6, 1862. Sewer in Seventh street, in front of Northern market-house.....	1,750 00
January 1, 1863. Sewer in front of space on Tenth street, between I and New York avenue.....	800 00
March 23, 1863. Grading Twentieth street west, from Pennsylvania avenue to I street north.....	500 00
May 23, 1863. Sewer on Ninth, between I and K streets, public space.....	1,750 00
May 29, 1863. Sewer in Sixth street, in front of public space between I and K streets.....	1,500 00
July 27, 1863. Grading and gravelling I street north, from Eleventh to Twelfth street west.....	500 00

July 27, 1863. Grading and gravelling Eleventh street west, from I to K street north.....	\$500 00
August 1, 1863. Paving carriage-way of B street north, between Seventh and Ninth streets west.....	5, 135 94
September 7, 1863. Relaying gutters on Eighth street west, between I and K streets north.....	1, 211 50
October 31, 1863. Repairing F street north, from Seventh to Eighth street west.....	138 00
February 12, 1864. Improving reservation at Fifth and Sixth streets and I street and Massachusetts avenue.....	880 40
February 12, 1864. Enclosing public reservation between Eighth and Ninth, and K street and Massachusetts avenue.....	929 20
April 29, 1864. Relaying gutters in Fifth street west, between E and G street north, (Judiciary square).....	691 53
May 24, 1864. Improving and enclosing reservation at intersection of Massachusetts avenue and Tenth and Eleventh streets,	1, 129 67
July 29, 1864. Sewer in front of public space between Eighth and Ninth streets, on K street.....	750 00
October 24, 1864. Grading and gravelling B street north, from Fifteenth to Seventeenth street west, in front of reservation south of President's House.....	2, 000 00
October 24, 1864. Paving carriage-way of K street north, from Seventh to Eighth street west.....	888 08
May 22, 1865. Cleaning Pennsylvania avenue May 22 and 23, 1865.....	510 00
	<hr/>
	37, 410 61
	<hr/>

In addition to these, this corporation has spent thousands of dollars in improving from time to time the several avenues and laying flag footways across the same, which they would in equity be entitled to have again from the general government, though no special claim is made herein therefor.

Congress, by the third section of an act of May 5, 1864, entitled "An act to amend an act to incorporate the inhabitants of the city of Washington, passed May 15, 1820," directed that in all cases in which the streets, avenues, or alleys of the said city pass through or by any of the property of the United States, the Commissioner of Public Buildings shall pay to the duly authorized officer of the corporation the just proportion of the expense incurred in improving such avenue, street, or alley which said property bears to the whole cost thereof, to be ascertained in the same manner as the same is apportioned among the individual proprietors of the property improved thereby. Under this section of this act this corporation is entitled to have from the Commissioner of Public Buildings the following sums for the work done during the past summer and this fall, and for which an immediate appropriation is asked:

Fourteenth street sewer across Ohio avenue, across Pennsylvania avenue, and in front of the reservation south side of avenue in front of Franklin square, and across Vermont and Massachusetts avenues, 1,145 feet...	\$9, 918 00
E street north. Paving carriage-way in front of reservation south side of E street north, between Thirteenth and Fourteenth streets west, half of the street, 553 feet.....	2, 637 00
Seventh street sewer in front of Patent and Post Offices, also in front of government reservation and across Pennsylvania avenue and Louisiana avenue, 1,364 feet sewer.....	12, 712 00
Four-and-a-half street. Paving of Four-and-a-half street from the canal to Missouri avenue, also side footwalks, 400 feet.....	4, 910 00

Fifth street. Paving half of carriage-way in front of government reservation, also side footwalks between F and G streets, 1,330 feet.....	\$6, 926 00
F street north. Paving the carriage-way of F street north, in front of the Post and Patent Offices, 500 feet.....	3, 808 00
	<hr/> 40, 911 00 <hr/>

It is intended that much more shall be done during the approaching than was during the last season, and it is important that provision should be made in advance to have ready in the hands of the Commissioner of Public Buildings sufficient funds to pay the general government's proportionate part; unless this is done, delays and difficulties will arise which will necessarily impede us in improving the city.

It is impossible to approximate the sum that will be required, and I do not think I will be far wide of the mark in asking for one hundred thousand dollars.

SEWERAGE.

No subject in connexion with this city can better engage your own and the attention of Congress than the matter of its proper drainage, so essential to the health, comfort, and convenience of those, like yourself, connected with the general government, having a protracted residence among us, and of individual members of Congress, who are more or less here during their terms, as well as to the permanent resident.

Upon this subject I had the honor to transmit to you, a short time since, a very elaborate and able report of Messrs. Cluss and Kammerhueber, civil engineers, suggesting a proper mode of sewerage, involving, however, an expense which this city at present is unable to bear; and as it is just and proper that the general government should assist in accomplishing this much-desired and needed object, I would therefore ask the co-operation of the general government, and would suggest, if none better is offered, that the mode and means of efficient drainage proposed by those gentlemen be adopted, the cost to be borne equally by the general and municipal governments, and the work to be done under the supervision of a board of scientific and practical gentlemen of this city. This would effectually abate what for a long time past has been an insufferable nuisance, the filth in the canal. To this end the corporation should be empowered by Congress to levy a special tax to meet its share of the expense.

Permit me here to commend to you, and through you to the consideration of Congress, the work of draining the low grounds near the arsenal, now being done for the commandant of the post, under the supervision of Mr. William D. Wise, and suggest that, in addition to the great improvement of the property of the government in that neighborhood, it is all-important to the health of the community of Washington.

I would also suggest that the general government unite with that of the city in adopting a general system of sewerage, and particularly that the act of Congress of February 23, 1865, entitled "An act to amend an act to incorporate the inhabitants of the city of Washington, passed May 15, 1820," approved May 5, 1864, be amended so as to provide for laying the taxes therein provided for, for sewerage, upon the property benefited by the sewer, instead of, as now, limiting it to the property bordering on the sewer; as it now bears with unusual hardship upon the property bordering upon the improvement, while property equally benefited, though not bordering on it, escapes at comparatively small cost.

STREETS AND AVENUES.

I would direct your attention to the necessity of opening and otherwise improving the avenues of this city. These thoroughfares are the property of the general government, exclusively under its control and jurisdiction, and should be improved, at least that part of them already built upon, by paving the carriage-ways in the same way as that adopted by the city in paving the streets. This could be done by the corporation availing itself of the power granted by the act of Congress of February 25, 1865, and levying upon the property bordering thereon a tax, as provided in that act.

To exercise this power, however, would prove exceedingly onerous to the individual property owners, in consequence of the great width of those thoroughfares, as well as to this corporation, which has to bear the expense of so improving all the intersections. To obviate this difficulty, I would suggest for your consideration the lessening the width of such of the avenues as will admit of its being done without injury to private property, by laying outside of the pavement line, on each side, a sodded course, to be flanked with a line of curbing and planted with ornamental shade trees, as is common in the cities of Buffalo and Cleveland.

This would so lessen the width of the carriage-way of the avenues and contract the space necessary to be paved as to render paving them, if not less, certainly not more expensive to the property owners thereon than to those on the streets.

Again, if this be not done, I would suggest as an alternative that the general government undertake and cause to be paved the carriage-way of all the avenues, while the city undertakes and will pave the carriage-way of the streets, paying therefor not as at present, by a tax on the property, but out of its general fund. This, I think, would equalize the burden between the general and municipal governments, relieve the individual property owners from an extraordinarily heavy burden of taxation, and greatly facilitate the paving of the whole city.

In this connexion, I would ask that Massachusetts, Vermont, Rhode Island, New Jersey, and Virginia avenues be opened and improved; that the carriage-way of Pennsylvania avenue west of the Capitol be repaved with the Belgian pavement, and that portion of it east of the Capitol be reduced to its proper grade and the footwalks on both sides be laid down at least to Eleventh street east, and the carriage-way of Maryland avenue west of the Capitol be paved to the Potomac river.

MARKET-HOUSE.

Some two years since, this corporation, deeming its right to do so indisputable, attempted to abate the nuisance created by the dilapidated and unsightly buildings on Pennsylvania avenue known as the Centre market, by the erection on the same site of a new and ornamental building; when, at the instance of some persons, and with a view to prevent the occupancy of that reservation for such purpose, the House of Representatives passed the following resolution:

"Resolved, That the Committee for the District of Columbia be instructed to inquire into and report what legislation is necessary, and what further public officers are needed, to prevent or abate the obstructions of the streets of the city of Washington, as prescribed by the original plan; and particularly by what authority of law Eighth street west is obstructed so as to prevent sight of the Smithsonian grounds, and proper ventilation of that street; also, by what authority of law North B street is used for building purposes; also, by what law or regulation the streets leading toward the public mall are trencched upon by any structures whatever, preventing an uninterrupted view of the grounds and that ventilation which is a necessity to the health of the city; and also, whether the rental of the public reservation between Tenth and Twelfth streets west, near North B street, accrues to the government or to the corporation of Washington."

The object of this resolution was, plainly, to defeat the attempt of this corporation to replace by new, ornamental and slightly buildings the old and dilapidated ones occupying the reservation on Pennsylvania avenue and used as a market-house by this corporation.

The authority to occupy with a building of that character, and for the purpose for which it has so long been used, the public space or reservation on which the Centre Market now stands, is identical with and precisely the same as that to occupy with the buildings and for the purposes for which they are used the spaces or reservations on which now stand the Capitol, President's House, the State, Treasury, War, and Navy Departments, and Patent Office; and, further, while the Capitol obstructs Pennsylvania, Maryland and New Jersey avenues, North, South and East Capitol streets; the President's House Pennsylvania and New York avenues, F and G streets; the City Hall Indiana and Louisiana avenues, E and F streets, and the Patent Office this same Eighth street, neither the old Centre market nor the contemplated new building obstructs any avenue or street whatever.

This city was laid out under the authority of Congress and in compliance with the orders and directions of General Washington, which are of record in your office, wherein Thomas Beall and John M. Gant, the trustees to whom the proprietors of the soil had conveyed their lands for the purpose of a federal city, were ordered and directed to convey to the commissioners appointed under the act of Congress of July 16, 1790, entitled "An act to establish a temporary and permanent seat of government of the United States and their successors, for the use of the United States forever," all the streets and such of the land, squares, parcels, or lots, as the President should deem proper for the use of the United States.

Certain squares, parcels, and lots, containing in the aggregate 541 acres, 1 rood, and 2 perches, and numbered from 1 to 17, and marked and laid down, and as clearly and precisely delineated on the original plan of the city as any private lot, were deemed proper for the use of the United States, and were set apart and dedicated to public uses by General Washington, as follows :

No. of appropriation.	Designations, &c.			
		Acres.	Roods.	Perches.
1	The President's square	83	1	22
2	The Capitol square and mall east of 15th street west	227	0	8
3	The park south of Tiber creek and west of 15th street west	29	3	9
4	The University square, south of squares Nos. 33 and 34, to Potomac river	19	1	2
5	The fort at Turkey Buzzard or Greenleaf's Point	28	2	31
6	The West market, on Potomac, (covered with water.)			
7	The Centre market	2	3	33
8	The National Church square	4	0	25
9	The Judiciary square	19	1	27
10	North of Pennsylvania avenue, between 3d and 4½ streets west	6	0	31
11	Between north B and C streets and 2d and 3d streets west	3	2	34
12	North of Pennsylvania avenue, between 2d and 3d streets west	1	1	4
13	The Hospital square	77	0	26
14	The Navy Yard square	12	3	15
15	Eastern Branch Market square	1	0	21
16	do do	1	0	23
17	The Town House square	23	1	18
	Total	541	1	29

This original plan, with its seventeen appropriations or reservations distinctly marked out, laid down, and delineated, and the purpose for which they were severally intended and set apart publicly declared, was laid before the proprietors before they agreed or did make to the general government grants of the soil on which this city stands, and the commissioners who sold, and the parties who bought, did so under the full persuasion that these appropriations were permanent and unalterable.

The clause of these orders and directions of General Washington, assigning appropriation (reservation) No. 7, ignores 8th street west, south of the north line of Louisiana avenue, and gives for Centre market square the whole of the area running west from 7th to 9th streets, and running north from Canal street to Pennsylvania and Louisiana avenues, in these words: "The public appropriation beginning at the north side of Canal street and the east side of 9th street west, thence north to the south side of an avenue (Louisiana) drawn in front of square numbered three hundred and eighty-two, (382,) thence northeasterly with the south side of said avenue (Louisiana) until it intersects Pennsylvania avenue, thence with the south side of said avenue (Pennsylvania) until it intersects the west side of 7th street west, thence with the west side of said street until it intersects Canal street, thence with the north side of Canal street to the beginning."

All these seventeen appropriations intended for public buildings and uses, with few exceptions, intersect and obstruct streets, and are as minutely described in the original plan of the city, indorsed by both Presidents Washington and Adams, as any private lot, the object being, I presume, to break the monotony of streets miles in length by imposing public edifices at the most important intersections.

Subsequently the House of Representatives, on the 25th day of June, 1864, passed another resolution in these words following, and which was commonly understood to be intended to put an end to and prevent the erection of the new market-house; and at the instance of your predecessor, who so understood it, the further prosecution of the work was stopped:

"JOINT RESOLUTION authorizing the Secretary of the Interior to reclaim and preserve certain property of the United States.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized and directed to prevent the improper appropriation or occupation of any of the public streets, avenues, squares, or reservations in the city of Washington belonging to the United States, and to reclaim the same if unlawfully appropriated, and particularly to prevent the erection of any permanent building upon any property reserved to or for the use of the United States, unless plainly authorized by act of Congress, and to report to the Congress, at the commencement of its next session, his proceedings in the premises, together with a full statement of all such property, and how and by what authority the same is occupied or claimed. Nothing herein contained shall be construed to interfere with the temporary and proper occupation of any portion of such property, by lawful authority, for the legitimate purposes of the United States."

Though it might have been the object and intention of the member who offered that "joint resolution" to prevent the erection, by this corporation, of a new building on the site of the present Centre market, no particular mention or allusion is made to it, and it is not reasonable to suppose that, if advised of such object and intention, Congress would, in so hurried a manner, without information on the subject, and without providing something in lieu thereof, have adopted a measure so materially affecting the comfort and convenience of the

community of Washington and the interests of this corporation, and so detrimental to private rights.

The resolution is general in its terms, authorizing and directing the Secretary of the Interior "to prevent the improper appropriation or occupation of any of the public streets, avenues, squares, or reservations, in the city of Washington, belonging to the United States, to reclaim the same if unlawfully appropriated, and particularly to prevent the erection of any permanent building upon any property reserved to or for the use of the United States, unless plainly authorized by act of Congress," with a proviso that "nothing therein contained shall be construed, however, to interfere with the temporary and proper occupation of any portion of such property, by lawful authority, for the legitimate purposes of the United States."

Taking this joint resolution as it is intended, the inquiry will be, by what authority this corporation occupies and uses that space for market purposes; and though the right so to occupy it might be readily presumed from the length of time it has been so used, the authority of this corporation will, I think, on examination, be found to have emanated from Congress itself.

The act of Congress establishing a temporary and permanent seat of government of the United States, (July 16, 1790,) and an act to amend the same, (March 3, 1791,) authorized the President of the United States to appoint three commissioners, any two of whom were empowered, under the direction of the President, to survey and by proper metes and bounds to define and limit a district of territory, and with power to purchase or accept such quantity of land on the eastern side of the Potomac as the President should deem proper, for the use of the United States and according to such plan as the President shall approve, to provide suitable buildings for the accommodation of Congress, for the President, and the public officers of the government of the United States."

By authority of these acts of Congress, and under the direction of the President and these commissioners, Major Charles Peter l'Enfant laid out a plan of the seat of the federal government, and the proprietors of the soil, on the 29th of June, 1791, executed a deed conveying all their lands to Thomas Beall, of George, and John M. Gant, upon the special trusts to convey all the said lands, or such part thereof as may be thought necessary and proper, to be laid out as a federal city, with such streets, squares, parcels, and lots as the President of the United States and the commissioners for the time being appointed by virtue of the act of Congress entitled "An act for establishing a temporary and permanent seat of government of the United States," and their successors for the use of the United States forever, all the said land, streets, and such of the said squares, parcels and lots, as the President shall deem proper, for the use of the United States; and that as to the residue of the said lots into which the said lands shall have been laid off and divided, a fair and equal division of them shall be made, one-half to the original proprietors, the other moiety "to be sold at such times and on such terms and conditions as the President of the United States shall direct, and the produce of the sales of said lots applied in the first place to the payment in money for so much of the land as might be appropriated to the use of the United States, at the rate of £25 per acre, not accounting streets as part thereof, this being so paid or in any other manner satisfied;" then the produce of the same sales, or what may remain thereof as aforesaid in money or securities of any kind, shall be paid, assigned, transferred, and delivered over to the President for the time being as a grant of money to be applied for the purposes and according to the act of Congress aforesaid, and *in trust further that the proprietor of the soil, his heirs and assigns, shall and may continue his occupation of the land sold at his and their will and pleasure until the same shall be occupied under the said appropriations for the use of the United States as aforesaid or by purchasers.*

On the 19th of December, 1791, the legislature of Maryland passed an act

"concerning the Territory of Columbia and the city of Washington," subjecting the lands of all other persons in the city to the same terms and conditions as those conveyed by Notley Young and others in trust to Beall and Gant.

These acts of Congress, the act of the legislature of Maryland, with the deeds of trusts from the proprietors of the soil, are the sources of authority under which the President and commissioners acted in laying out the city.

The plan of Major l'Enfant, with slight alterations made by Mr. Ellicott, was approved by General Washington, and the division of lots between the government and the proprietors of the soil as provided for in the deeds of trusts made in accordance therewith.

In the original plan were many spaces reserved to and for the use of the United States. The objects for which they were reserved and the purposes to which they were to be devoted, with the exception of those for the Capitol and President's House, were not at that time indicated by any official act, of either the President or the commissioners.

The designation of the others was held under advisement; and on the 30th of June, 1794, the commissioners directed their surveyor, Mr. Nicholas King, "to lay out the market squares;" and on the 18th of October, in the same year, in a letter addressed to Mr. David Burns, a proprietor of ground in that neighborhood, they say, "The ground taken for public use about the market square is not yet entirely ascertained. Mr. Johnson has directions to furnish you with the quantity of your ground appropriated by the commissioners for the market and about it."

Congress having authorized the commissioners to borrow a sum of money not exceeding three hundred thousand dollars to provide suitable buildings for its own, the accommodation of the President, and the public officers of the government of the United States, and all the lots vested in the commissioners or the trustees in any manner for the use of the United States then remaining unsold, except those appropriated to public use, being made chargeable with the repayment of this money, (act May 6, 1796,) rendered it necessary that such of the spaces as were intended and reserved for public use should be designated to except them from the terms of the act to prevent their sale.

It was not till then that General Washington gave a definite shape to his well-matured reflection on the destinations of the portions of ground in the city of Washington reserved to and for the use of the United States.

On the 2d of March, 1797, just two days before he vacated the presidential chair, by virtue of the authority vested in him and the commissioners by acts of Congress and the deed of trust, in order to except them from the terms of the act of May 6, 1796, and to prevent a sale of them under this act, adopting the language of that act and defining them severally by metes and bounds, he appropriated seventeen of those pieces or portions of ground so reserved to and for the use of the United States, as before particularly enumerated and mentioned, for the uses, purposes and interests before stated, among which was this appropriation for the Centre market.

These appropriations so made by General Washington, and the uses and purposes to which they were dedicated, were subsequently, in 1798, recognized by Congress when authorizing a loan of one hundred and fifty thousand dollars to the commissioners from the public treasury, and charging with its repayment "all the lots vested in the commissioners or the trustees for the United States and then remaining unsold, excepting *those set apart for public uses.*" (Act April 18, 1798.)

And again, in 1800, when, "for the greater convenience of the members of both houses of Congress in attending to their duty in the said city of Washington, and the greater facility of communication between the various offices and departments of the government," the commissioners were authorized to borrow money for the purpose of making footways in suitable places and directions,

and all the lots in the city of Washington vested in the commissioners or the trustees in the city of Washington, in any manner, for the use of the United States and then remaining unsold, *except those set apart for public purposes*, made chargeable with its repayment.

The city councils deeming the appropriation of that piece or portion of the property so reserved to and for the use of the United States by General Washington, and its recognition by President Adams and Congress, for the purpose of a market, sufficient, subsequently, on the 6th of October, 1802, passed an act establishing a market on the space south of Pennsylvania avenue, between Seventh and Ninth streets west, to be known by the name of the Centre market.

This act was approved by the then mayor, (Mr. Brent,) an appointee of the President, and the corporation has continued in possession of that space and used it as appropriated by General Washington, and with the consent and approbation of every successive President of the United States, for a market and market purposes from that time, a period of sixty-two years.

The official plat-book, showing the division of lots between the general government and the proprietors of the soil, in accordance with the deeds of trust and the appropriations of these several pieces or portions of the property so reserved to and for the use of the United States to specific purposes, begun under the direction of President Washington by Mr. Nicholas King, the city surveyor, furnished in 1803 and approved by President Adams, and now in the office of the Commissioner of Public Buildings, is the only official record in existence, and transcripts from which, signed by the surveyor of the city of Washington, were made evidence by act of Congress, (act January 12, 1809.)

Just after the first act of incorporation of the city of Washington (May 3, 1802,) and the passage of the act by its councils to establish a market on this space, (October 6, 1802,) Mr. Nicholas King, who had been intrusted by General Washington with making the official plat-book, on the 25th September, 1803, in a letter to President Adams, in speaking of these appropriations and the uses to which they were to be applied, says: "In the sales that had been made, both by the commissioners and the original proprietors, the designations of these places have been spoken of as inducements to purchasers, many of whom have selected their property accordingly. The extensive appropriations for the public buildings of the United States and for the city for public walks, markets, and other important purposes, ought to be held agreeably to the intention of the donors, and the views with which they were selected, in order to acquire and secure the public confidence so necessary to our growth and prosperity."

These views were approved by President Adams and his successors in office to the present time, and Congress itself, in 1812, 1820, 1824, 1826, and 1848, sanctioned them when it provided "that the corporation shall have power and authority to occupy and improve for public purposes, by and with the consent of the President of the United States, any part of the public and open spaces and squares in said city not interfering with any private rights." And again, on the 31st of May, 1832, by section eleven of an act of that date was the right of this corporation to occupy the particular reservation in question in the way and for the purposes proposed expressly recognized by Congress. Likewise Congress (act May 9, 1860) recognized the claim of this corporation to use that space for the purpose of a market, and ceded to it that property for such purpose so long as the market-house should be continued thereon, and authorized the city of Washington to borrow a sum not exceeding two hundred thousand dollars, at a rate of interest not exceeding six per cent., coupled, however, with a condition that a new market-house, according to a certain plan, should be built thereon within the period of two years.

Thus it appears very clearly that up to a very recent period the executive and legislative authority of the country has recognized the right of this city to

occupy this public space as a public market, and it has so occupied it under a claim of right for more than sixty years. Nor is there any act of the Executive or any proceeding in Congress to be found inconsistent with this lawful claim; for although at first the act of the 9th of May, 1860, may seem to be inconsistent with such a claim, on examination it will be found not to be so.

By the amended charter of 1848, section ten, the corporate authorities of this city are expressly prohibited from increasing its funded debt, except in the manner prescribed in that section. In the year 1860 they desired to erect a new market-house on the site of the old Centre market, and to enable them to do so applied to Congress for power to create a debt not exceeding two hundred thousand dollars at a rate of interest not exceeding six per cent. On this application Congress passed the act in question. The first sentence of the first section of this act recognizes the fact that this space has been heretofore and is still occupied for the Centre market, and ceded it to the corporation on condition that they should, within two years thereafter, erect thereon a market-house. The third sentence authorizes the corporation to create a debt not exceeding two hundred thousand dollars to erect said market-house. And the third section provides that in case it shall take effect it shall be construed to vest the title to the property in the corporation, so long as the said market-house shall be continued thereon and used for the purposes aforesaid, and no longer.

We are to look for the meaning of the legislature to the common-sense construction of the words employed, the remedy they intended to provide, and to the external facts, to aid us in discovering the mischief intended to be remedied. If, as has been shown, this plot of ground was originally set apart as a place for a market-house by General Washington, under the powers vested in him under the deeds of trust from the proprietors of the soil, the acts of Congress, and the Maryland legislature, and has been uninterruptedly, for the space of sixty years, used and occupied by the corporation of Washington, with full knowledge of the executive and legislative authorities, although the title to the land still remained in the United States, and this was no more than a permissive occupation at the will of the government, it cannot be doubted that until Congress legislated on the subject the city was justified in treating the property as rightfully devoted to their use.

They had not power under this charter to increase the funded debt, so as to enable them to build such a market-house as would satisfy the public demand and gratify the public taste, and claiming the right still to occupy the ground, but desiring to remove all possible doubt as to the permanency of that right, they applied for a cession of the ground, and for power to raise money for the contemplated improvement. In this there was no abandonment of a right, any more than a man who has an equitable estate, or an easement, abandons his claim when he applies for and receives a quit-claim of the legal title outstanding in another, nor does a just criticism of the words of the act lead to any other conclusion. The extent to which they go is that Congress secures to the corporation the use of the ground already occupied by the corporation, if the building contemplated in the act shall be constructed within the time limited therein, so long as the building shall be used as a market-house. The failure of the corporation to satisfy the condition, occasioned by the extraordinary condition of the country and the extraordinary state of things, leaves the matter precisely where it stood before, and the respective parties unaffected by it.

The resolution to which I have called your attention required your predecessor "to reclaim such public grounds as are unlawfully appropriated, and to prevent the erection of any permanent building upon any property reserved to the use of the United States unless plainly authorized by act of Congress." Unless the word plainly in this resolution is to be read "expressly," or by some equivalent term, I beg leave to say the resolution "plainly" did not prohibit or authorize your predecessor to prevent the erection of the contemplated

market-house. The covenant and agreement in the deeds of trusts from the proprietors of the soil "*that the grantor and his heirs and assigns should and might continue in his possession and occupation of their lands at their will and pleasure, until they shall be occupied, under the said appropriations, for the use of the United States, or by purchasers; and when any lots or parcels shall be occupied by purchase or appropriation as aforesaid, then and not till then should the grantor relinquish his occupation thereof*," the early legislation on this subject, the distinct appropriation of this parcel of ground for a Centre market, and the uninterrupted occupation of it by this corporation for so many years, all show the understanding of the respective parties, that when General Washington set it apart for a Centre market, it was intended that the corporate authorities of the city, then in contemplation, when they should come into being, should have the use of it for a Centre market. It is not possible to conceive that either the President, or the trustees, or Congress, were to build and manage a market-house, and it was then, as now, emphatically a part of the powers held by municipal corporations.

That General Washington, under the express legislation of Congress already referred to, had power so to set apart, designate, and appropriate this specific reservation, can admit of no rational doubt. That he did so set it apart is equally certain. We have, then, the act of Congress which "plainly" authorized the President to set apart this reservation for the purposes of a market, the act of the President executing the power so vested in him, and the acts of this corporation from time to time improving the ground and erecting the buildings thereon, and it can scarcely be contended that under this resolution you are required to prevent them from pulling down those old, unsightly, and dilapidated buildings, thus abating a nuisance already borne too long by this community, and erecting new and fitting ones in their place.

PUBLIC SCHOOLS.

The matter of public schools is one that reaches the whole community, and in which the municipal authorities have manifested the greatest care and interest.

With the greatest liberality on the part of the city councils, and a willingness on the part of the citizens to bear taxation for this purpose, it is impossible, as yet, to provide for the wants of the community in this respect. Hundreds in the employment of the general government who have no interest in the community further than connected with the general government and as temporary residents, and who do not contribute a cent to their support, avail themselves of the means of education afforded by the corporation for their children; many of this class would gladly contribute something towards the fostering of this institution, and those who would not should be compelled. The only way to reach them is for Congress to empower this corporation to levy a special capitation tax on all male residents over twenty-one years, for the purposes of public education. The grant of such power would, I am certain, be not abused by the corporation, and would not be objectionable.

In this connexion, I would point out, with a view of having it remedied, the injustice done, doubtless hurriedly and without being advised, by the action of Congress in altering the law in force in this District in relation to the education of colored children.

Under former provisions of law, (act of May 20, 1862, section 1.) the propriety of which is admitted by all, this corporation set apart from the taxes on real and personal property owned by colored persons in this city, for the purpose of educating colored children, the same proportionate part as was set apart from the taxes paid by white persons for the purpose of educating white children. Congress, however, at its last session (act of June 25, 1864, section 15) repealed this equitable provision, and directed that the corporate authorities

of the cities of Georgetown and Washington thereafter "set apart from the whole fund received by them from all sources applicable under existing provisions of law to purposes of public education, such a proportionate part thereof for the education of colored children as the number of colored children in the respective cities, between the ages of six and seventeen years, bears to the whole number of children thereof." Under my construction of this section of this last act of Congress, the trustees of colored schools of this city are entitled to receive from this corporation for the purpose of educating colored children an amount more than twice as much as the whole aggregate of taxes paid by all the colored persons of this city; while under the construction put upon it by the trustees of colored schools, which they claim, they would be entitled to receive an amount more than four times greater than the whole aggregate of taxes paid by colored persons. Whilst the corporate authorities of Washington have been ever ready and willing to do all that can, with propriety and justice, be required of them to meliorate and amend the condition of the colored population of this city, and provide for their intellectual culture and improvement, it is reluctant to do this at so inordinate a cost to the white taxpayer.

Whilst Congress has been liberal, and granted large sums and tracts of the public lands to several of the States and Territories, for the purposes of public education, it has not as yet given to this city, from which it obtained so much, a dollar, and has given away, without consideration, valuable franchises—the inherent right and property of this city—which would have yielded sufficient to support and maintain all its public schools.

In this connexion I would ask, that whenever, hereafter, any grant by way of a franchise is made of any privilege in this city, it be conditioned on obtaining the consent of the city authorities thereto.

In this way, would not only the city be protected, but a revenue legitimately derived which would materially assist in fostering our public schools.

FIRE DEPARTMENT.

The city has, at considerable expense, established a paid fire department with the use of steam fire-engines, as well as erected a fire-alarm telegraph; your predecessor, at my request, granting the corporation for this department the use of certain buildings, the property of the general government, erected as engine-houses.

These buildings are inadequate for the purposes of the fire department as at present organized, and this corporation would, if the possession was guaranteed for a length of time sufficient to warrant the expense, tear them down and erect on their sites structures better adapted to the purposes. I would therefore ask of Congress to grant to this city, so long as they may be used for the purposes of a fire department, the lots of ground on which stand the Columbia, Union and Franklin engine-houses.

I must, in conclusion, apologize for the length of this communication, necessary, however, on account of the importance to this community of obtaining the early action of Congress, in some way or another, on every matter and thing therein mentioned.

I am, very respectfully,

RICHARD WALLACH, *Mayor.*

Hon. JAMES HARLAN,
Secretary of the Interior.

REPORT
OF
LIEUT. COLONEL JAMES H. SIMPSON,
CORPS OF ENGINEERS UNITED STATES ARMY,
ON THE

Union Pacific railroad and branches, Central Pacific railroad of California, Northern Pacific railroad, wagon roads in the Territories of Idaho, Montana, Dakota, and Nebraska, and Washington aqueduct, made to Hon. James Harlan, Secretary of the Interior, November 23, 1865.

DEPARTMENT OF THE INTERIOR, ENGINEER OFFICE,
Washington, D. C., November 23, 1865.

SIR: Having been detailed by the President to supervise the construction of the Pacific railroad, so far as its operations come within the purview of the government, the general government wagon roads, and the Washington and Georgetown aqueduct, I respectfully submit the following report in relation thereto:

UNION PACIFIC RAILROAD.

PROCEEDINGS OF THE COMMISSIONERS.

The act of Congress incorporating the Union Pacific Railroad Company made it the duty of the corporators, who were styled in said act "the Board of Commissioners of the Union Pacific Railroad and Telegraph Company," to meet for organization at Chicago, at the call of the commissioners named in said act for the State of Illinois. The commissioners from said State, pursuant to such authority, appointed the second day of September, 1862, at noon, and Bryan Hall at Chicago, as the time and place for the first meeting of said commissioners for the organization of the company.

Pursuant to such appointment the commissioners met at the time and place named, and organized permanently by the election of William B. Ogden, esq., of Chicago, as president; Thomas W. Olcott, esq., of New York, as treasurer; and Henry V. Poor, esq., of New York, as secretary.

The 8th resolution adopted by said convention provided for opening the books of subscription to the stock of the Union Pacific Railroad Company at such localities "as might be designated by or under the authority of the president, secretary, and treasurer of the board, or any two of them, and by such persons as they might appoint."

A resolution was also adopted instructing the officers of the company to accept of the act of incorporation in behalf of the company, and file a certified copy of the proceedings of the convention in the Department of the Interior.

Acceptance by the company of the act of incorporation :

UNION PACIFIC RAILROAD COMPANY, SECRETARY'S OFFICE,
54 William street, New York, June 23, 1863.

SIR : The undersigned, president and secretary of the Union Pacific Railroad Company, in obedience to the resolution of the Board of Commissioners of the Union Pacific Railroad and Telegraph Company, passed at the meeting of the same held at Chicago, Illinois, on the second day of September, 1862, and, by virtue of the authority vested in us by said board, have the honor, in behalf of the same, of signifying, under the seal thereof, the full acceptance by the Union Pacific Railroad Company of the provisions of the act of Congress, passed on the first day of July, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," and we respectfully request that this assent of said company to the provisions of said act may be seasonably filed, as provided in the same, in the Department of the Interior.

We have the honor to be, your obedient servants,

[L. s.]

W. B. OGDEN,
President of the Union Pacific Railroad Company.

[L. s.]

HENRY V. POOR,
Secretary of the Union Pacific Railroad Company.

Hon. J. P. USHER,
Secretary of the Interior, Washington, D. C.

Filing the same :

DEPARTMENT OF THE INTERIOR,
June 27, 1863.

SIR : I acknowledge the receipt of your letter of the 25th instant, enclosing the acceptance of the provisions of the act of July 1, 1862, by the Union Pacific Railroad Company, of which you are the secretary. and have to inform you that said assent of the company has been placed on file in this department.

Very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

HENRY V. POOR, Esq.,
No. 54 William street, New York.

Election of directors :

UNION PACIFIC RAILROAD COMPANY,
Secretary's Office, 54 William street, New York, October 31, 1863.

SIR : I have the honor to report that, by virtue of an act of Congress, approved July 1, 1862, "To aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," two thousand shares have been subscribed, and ten dollars per share paid into the treasury of the company, and, upon due notice, at a meeting of the subscribers held on October 29, 1863, the following directors for said corporation were duly elected :

George Opdyke, John A. Dix, T. C. Durant, E. W. Dunham, Pickering Clark, E. T. H. Gibson, J. T. D. Lauier, A. G. Jerome, Abriel A. Low, George T. M. Davis, August Belmont, L. C. Clark, Charles Tuttle, H. V. Poor, and George Griswold, New York city ; J. V. L. Pruyn, Albany, New York ; E. H. Rosekrans, Glen's Falls, New York ; William B. Ogden and J. T. Tracy, Chicago, Illinois ; Nathaniel Thayer and C. A. Lambard, Boston, Massachusetts ; C. S. Bushnell, New Haven, Connecticut ; Joseph H. Scranton, Scranton, Pennsylvania ; J. Edgar Thomson, Philadelphia, Pennsylvania ; E. Cook and John E. Henry, Davenport, Iowa ; H. S. McComb, Wilmington, Delaware ; Augustus Kountz, Omaha, Nebraska ; John J. Blair, Belvidere, New Jersey ; S. C. Pomeroy, Atchison, Kansas. Springer Harbaugh, Pittsburg, Pennsylvania, and T. J. Carter, Springfield, Illinois, United States government directors.

That at a meeting held October 30, 1863, the directors so chosen elected from their own number John A. Dix, president ; Thomas C. Durant, vice-president ; J. J. Cisco, treasurer ; H. V. Poor, Secretary.

Respectfully submitted.

T. J. CARTER,
United States Government Director.

Hon. J. P. USHER,
Secretary of the Interior.

Nathaniel Thayer, of Boston, one of the directors, having resigned, Brigham Young, of Utah, at the meeting of the directors October 30, 1863, referred to above, was elected director.

GAUGE OF ROAD.

Statement showing the views of different parties as to proper gauge of proposed Pacific railroad, furnished on application of the Secretary of the Interior.

Date.	Names of parties.	Railroad companies they represent.	Gauge proposed.
1862.			<i>Ft. Inches.</i>
Oct. 23	William B. Ogden..	President Board of Commissioners Union Pacific Railroad Company.....	4 8½
Oct. 30	Thomas H. Scott ...	Vice-president Pennsylvania Railroad Company.....	4 8½
Nov. 1	William H. Osborn .	President Illinois Central railroad.....	4 8½
Nov. 2	D. McClaren	Superintendent Cincinnati, Hamilton, and Dayton railroad.....	4 8½
Nov. 4	S. S. L'Hommedieu..	President Cincinnati, Hamilton, and Dayton railroad.....	4 8½
Nov. 5	G. B. Taylor	President Pacific Railroad Company of Missouri.....	5 6
Nov. 12	John B. Jarvis	General superintendent Pittsburg, Fort Wayne, and Chicago railroad.....	4 8½
Nov. 15	J. H. McDowell....	President Leavenworth, Pawnee, and Western railroad.....	5 0
Nov. 29	William H. Clement..	Little Miami, Columbus, and Xenia railroad..	5 0
Dec. 12	Mendes Cohen.....	Vice-president and superintendent Ohio and Mississippi railroad.....	6 0
Nov. 29	J. W. Garrett	President Baltimore and Ohio railroad.....	4 8½

AN ACT to establish the gauge of the Pacific railroad and its branches, approved March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the gauge of the Pacific railroad and its branches, throughout their whole extent, from the Pacific coast to the Missouri river, shall be, and hereby is, established at four feet eight and one-half inches.

Preliminary surveys.

As the honorable Secretary desires a history of the road as far as is compatible with proper brevity, I extract the following from the company's printed report of their organization and proceedings :

Mr. Durant laid before the meeting (of the directors, October 30, 1863) the following communication, which was read and ordered on file :

NEW YORK, October 30, 1863.

GENTLEMEN: I beg to congratulate you upon the harmonious organization of your company, and to place at your disposal information relative to the character of the country through which your road is to pass—the result of explorations made by competent engineers, at private expense and at various times, during the past ten years. Much of this information is necessarily of a negative character, but is not the less important, nearly eighteen months having been spent in the mountain passes in its acquisition.

I beg also to inform you that in August last, becoming convinced that the subscriptions to the stock of your company would not reach the amount required by law for election of directors in time to get together a competent and efficient corps of engineers before the season was too far advanced, I gave instructions to P. A. Dey, esq., to proceed at once to organize parties for immediate service, and, on the 19th of September, sent them into the field to survey four lines from the western borders of the State of Iowa to some common point in the Platte valley, for the purpose of ascertaining facts in regard to location, a copy of which orders is herewith submitted, marked Nos. 1 and 2.

Subsequently, fearing it would be impossible to accomplish much this season if more time was lost, and that there would be a delay of six months, at least, if nothing was done until after the company was organized, and in view of the importance of a more definite knowledge of some of the difficulties to be surmounted in building a road through the mountains, at an elevation which has, as yet, only been ascertained by means of barometrical observations, I determined, if within the range of possibility, to run a level and obtain a pro-

file of two or more of the passes this fall. I accordingly instructed Mr. Dey to despatch a party of engineers to the valley of Lodge Pole creek, where the same leaves the mountains at the foot of the Black Hills, there to commence surveying a line through Cheyenne Pass into the Laramie plains, thence near the base of the Medicine Bow mountains to Bridger's Pass, through Bridger's Pass to the plains beyond, striking Bitter Creek valley—this being all that a single party of engineers could reasonably be expected to accomplish, even under the most favorable circumstances. I also instructed Mr. Dey to make arrangements to put another party in the field, commencing near Utah lake, running up the valley of the Timpamogus river, through the Wahsatch mountains eastward, to meet, in Bitter Creek valley, the party last named, suggesting that he might be able to make the arrangement with Governor Brigham Young, the details of which will be seen in paper herewith submitted, marked Instructions No. 3 and No. 4; and I would here state that in reply to my telegram to Governor Young, asking if he could furnish a party to make survey, I paying the expense, I received immediate answer: 'I will furnish a party and engineers, if you wish, and pay the expenses.' You will perceive there are now in the field four parties of engineers, from whom we may expect to receive very full reports. The four lines first named should be completed in two weeks if the weather is favorable.

The line through Cheyenne and Bridger's passes will not occupy a long time, if the party meet with no serious obstacles or interruption from the Indians. It is here that the information derived from the examinations made by General G. M. Dodge, and those made last year by Mr. Dey, who was sent out by the committee appointed by your board of commissioners, prove of great value, as the present party will avail themselves of the examinations of those gentlemen, and run the lines first which they found most practicable. In order to save time, they have gone by stage, and have arranged for transportation to be furnished them from some of the stations of the stage company.

I applied to the President for an order on the commander of the post at the mouth of the Cache-la-Poudre, or at the fort near Medicine Bow mountains, for military escort, provisions, &c., to be used, if found necessary, for the safety of the party, but was unable to obtain the same, on the ground that there was no authority for the government to aid in making the surveys. Nothing daunted, the party, in charge of B. B. Brayton, esq., determined to lose no time, and have pushed on without delay, trusting to their own resources not only for protection, but for provisions or transportation, in case they lose what they take with them by Indians, snows, or other casualties. I have no fears, however, for their safety, as I learn by telegraph, from parties residing west of Julesburg, that provisions can be had at that point, and the mountaineers employed as guides are well versed in all the wiles of the Indians.

Another and very important matter for your consideration is the investigation of the coal fields and iron ores which the engineers report to exist to a vast extent in the vicinity of Medicine Bow mountains and the Black Hills.

Believing this to have an important bearing on the location of the road, I have despatched Professor J. T. Hodge, an experienced geologist, to make an examination as to the extent and character of said coal fields, iron ore, limestone, &c., and their proximity to each other and the line of road being surveyed; a copy of whose instructions are herewith submitted, numbered 5.

All of the above named parties understand that they are employed by individuals, and not by the Union Pacific Company. I would recommend that your company continue their services for the present.

The accompanying map of the Missouri river, showing depth of water, sand, &c., for a great distance, is placed at your disposal.

Very respectfully,

THOS. C. DURANT.

The BOARD OF DIRECTORS

of the Union Pacific Railroad Company.

Proceedings of the company subsequent to the election of directors, as quoted from their report.

The executive committee of the company, upon which the management of its affairs devolved when the board of directors was not in session, in obedience to the resolutions of the board embodying a plan for future operations, immediately assumed the acts and instructions of Mr. Durant, already recited; and as soon as the surveys of the country intermediate between the Missouri and the north bend of the Platte river were completed, placed before the President of the United States the results of the same, as well as of the surveys made for the purpose of ascertaining the most favorable point for crossing the Missouri river, for the purpose of obtaining his decision fixing the eastern terminus of the road. This decision, rendered on the 17th of November last, (1863,) established the eastern initial point of the road within the township, within which is the city of Omaha, the capital of the Territory of Nebraska. As soon as practicable thereafter, on the 2d day of December, 1863, the company made a formal commencement of the work of construction by breaking ground on the line of the road near Omaha. The ceremonies on the occasion were appropriate to the magnitude and grandeur of an enterprise which is to work an era in the commercial and

political history of the country, and were participated in by the governor of the Territory of Nebraska, the mayors of the cities of Omaha and Council Bluffs, and by the great mass of the citizens of the surrounding country.

The President is represented in the above proceedings as deciding the question of the *initial point* on the 17th November, 1863. If he did make a decision at that date, it must have been an informal one, as may be seen by the following order, the original of which is on file in this department :

In pursuance of the provisions of section 14 of the act of Congress entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July 1, 1862, authorizing and directing the President of the United States to fix the point on the western boundary of the State of Iowa, from which the Union Pacific Railroad Company is by said section authorized and required to construct a single line of railroad and telegraph upon the most direct and practicable route, subject to the approval of the President of the United States, so as to form a connexion with the lines of said company at some point on the one hundredth meridian of longitude in said section named : I, Abraham Lincoln, President of the United States, do, upon the application of the said company, designate and establish such first above-named point on the western boundary of the State of Iowa, east of and opposite to the east line of section 10, in township 15 north, of range 13 east of the sixth principal meridian, in the Territory of Nebraska.

Done at the city of Washington, this seventh day of March, in the year of our Lord one thousand eight hundred and sixty-four.

ABRAHAM LINCOLN.

Government directors.

The President appoints three government directors in addition to the two, Hon. Springer Harbaugh, of Pennsylvania, and Hon. Timothy J. Carter, of Illinois, previously appointed under the act of Congress entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean," &c., approved July 1, 1862, each of whom accepted the appointment :

EXECUTIVE MANSION, July 19, 1864.

By virtue of the authority conferred upon the President of the United States by the thirteenth section of the act of Congress, approved July 2, 1864, amending the act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, &c., Jesse L. Williams, of Indiana, George Ashmun, of Massachusetts, and Charles Sherman, of Ohio, are hereby appointed directors on the part of the government of the United States for the Union Pacific Railroad and Telegraph Company, to serve until the next ensuing regular election of directors for said company.

ABRAHAM LINCOLN.

Commissioners to examine the road or roads :

EXECUTIVE MANSION,
Washington, July 19, 1864.

By virtue of the authority vested in the President of the United States by the sixth section of an act entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes,'" approved July 2, 1864, William M. White, of Connecticut, Leonard Swett, of Illinois, and William Dennison, of Ohio, are hereby appointed the commissioners to examine the road or roads authorized by said acts to be constructed by the "Union Pacific Railroad Company," and the "Union Pacific Railroad Company, eastern division," and make report to him in relation thereto, as contemplated and specified by said acts.

ABRAHAM LINCOLN.

Hon. William Dennison declining the appointment of commissioner, Hon Richard W. Thompson was on the 27th July, 1864, appointed by the President to supply his place, and with the two others accepted the commission.

The government directors appointed July 19, 1864, named above, were re-appointed by the President October 7, 1864, and they accepted their commissions.

The company, October 7, 1864, accept the provisions of the act entitled "An

act to amend an act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July 2, 1864:

UNION PACIFIC RAILROAD COMPANY,
Secretary's Office, 13 William street, New York, October 7, 1864.

SIR: At a meeting of the stockholders of this company, held at this office on the 5th day of October, 1864, it was "Resolved, that the stockholders of this company hereby accept of the act of Congress, approved July 2, 1864, entitled 'An act to amend an act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes,' approved July 1, 1862; and that the officers of this company are hereby directed to accept the said act on behalf of this company, and to file such acceptance in the Department of the Interior."

It is hereby certified that the foregoing is a true and correct copy of a resolution passed at a meeting of the stockholders held at this office on the 5th day of October, A. D. 1864.

In witness whereof, these presents are signed by the president and secretary, and sealed with the corporate seal of the company.

[SEAL.]

JOHN A. DIX, *President.*
CHAS. TUTTLE, *Secretary.*

Hon. J. P. USHER, *Secretary of the Interior.*

Location of the first one hundred miles west from Omaha:

DEPARTMENT OF THE INTERIOR, November 4, 1864.

SIR: Your letter of the 3d instant, together with the map of the route of the Union Pacific railroad for one hundred miles west from Omaha, Nebraska, were submitted to the President to-day, and he has formally approved the location of the road as indicated upon said map, which will be retained on the files of this department as the basis for the adjustment of the corresponding grant of lands to the company.

I am, sir, very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

THOS. C. DURANT, Esq.,
Vice-President Union Pacific Railroad Co.,
13 William street, New York.

Report of Hon. Jesse L. Williams, one of the government directors, to the Secretary of the Interior on the location and progress of the road.

FORT WAYNE, IND., November 15, 1864.

SIR: The undersigned, one of the government directors of the Union Pacific railroad, and member of the committee on location and construction, having recently visited the line of operations, at the request of the directors on the part of the government, respectfully communicates such information as should be in the possession of the department, under the requirements of the 13th section of the amended act, filing a copy of this communication in the office of the company in New York.

The arrangements for the eastern terminus of the road on the west bank of the Missouri river, at Omaha, appear judicious, affording every facility for handling freight to any amount. Ample grounds have been promised to the company, covering the river front for one and a half mile, the conveyance of which has not yet been fully perfected. The grounds are chiefly on the low river bottom, but with small expense of filling can be made secure from all floods.

The crossing of the river with the traffic interchanged with connecting roads from the east is the important question here. For the present it must be by ferry, which, from the shifting sand-bars of the Missouri, is more difficult than in other rivers. The most reliable ferry is about one mile above the centre of Omaha, and this necessarily becomes the present starting point for the track, where rails and other materials will be delivered and the transfer freight house erected. From this the line passes along and near the river to the mouth of a small stream or ravine at the lower part of the town, coming in from the southwest, through which it makes the ascent of the river bluff. The passenger and local freight station, with the machine shops, &c., can be built at any convenient point in front of the town.

The more perfect mode of crossing by bridge has, of course, been kept in view in the location. The engineer in charge, Mr. Dey, doubts the practicability of keeping a draw-bridge channel at all times open, and has therefore arranged his lines so as to admit the alternative of a high bridge, crossing at the higher ground just below the town. At this point he proposes a grade line about fifty feet above highest water and sixty-five feet above low water, clearing the pilot-house of all steamboats, but not high enough for their chimney

pipes to pass under without being lowered. Under this arrangement chimneys of Missouri river boats would be constructed with a joint.

The fact that this navigation stands to some extent by itself—the stream requiring a different construction of boats—and that, in the actual course of trade, boats adapted to other tributaries of the Mississippi seldom ascend the Missouri, tends to lessen the inconvenience of such a requirement. If, however, during the time that will elapse before the river shall be bridged, the practicability of keeping a draw channel free from sand deposits shall have been demonstrated—of which I have strong confidence, with the known skill of engineers in changing and controlling river currents by artificial works—then a low bridge may be constructed at the most suitable point above or in front of the town.

But there remains the question of founding securely a bridge in a river like this, whose bed seems to be but one mass of light sand, removing from point to point with the changes of the current. The practicability of bridging the Missouri has been doubted by many. The very extensive and careful soundings made by Mr. Dey, as marked upon his lithographed map, show at Omaha a substratum of clay at the depth of about twenty-eight feet below low water, covered by twelve to twenty feet of sand. By dredging off the sand until bearing piles can be driven through what remains to the clay, cutting off these piles under water, sinking a timber crib upon them, and then filling around the pier with loose stone, (riprap,) a foundation can be made upon which a stone pier of any height may securely rest. I therefore entertain no doubt of the entire feasibility of bridging the Missouri for the passage of this great national thoroughfare. The bridge will be about 2,230 feet long, which is the width of the channel at this point.

In the location westward the first stream of much size is the Elkhorn river, which here skirts the northeastern boundary of the Platte valley. Between this valley and the Missouri a belt of high table-land intervenes, some eighteen miles in width, the general level of which is from two hundred to three hundred feet above the starting point on the Missouri bottom, and seventy-five to one hundred and fifty feet above the valley of the Platte at the Elkhorn. This table-land is cut transversely with the line of the Pappillon creek and its east and west branches to the depth of one hundred to two hundred feet, so that the whole distance presents an undulating surface, with no valley leading for any distance in the direction of the route. Over such a surface favorable grades cannot be obtained. By curving some three and a half miles south of the direct line the valleys of the main and east Pappillon are both crossed in one, near their junction, thus avoiding one summit. This curve southward is favored by the southwesterly direction of the ravine necessarily followed as the natural outlet from the Missouri valley at this point.

In adapting the grade line to this undulating surface, there are, in all, over four miles 79.2 feet per mile, ascending eastward, the longest continuous grade being two miles. The evil of this steep grade is aggravated by the occurrence with it of curvature as short as 1,432 feet radius. The maximum grades ascending westward are 66 feet per mile, of which the longest is three miles, arising out of the Missouri valley. The several ridges terminating these grades are to be cut down from 28 to 42 feet. Deeper cuttings and higher embankments would have slightly reduced these grades, and I think the object would have justified some increase of expense. Yet, without great cost, no very essential reduction of maximum grade is practicable on this location. In thus running across the drainage, the length and height of the natural slopes, relatively, must, in a great degree, control the grades. It is much to be regretted that this elevated and uneven formation should have interposed just at the beginning of this great road, compelling the adoption of grades so much higher than will be necessary on any part of the next five hundred miles, and higher than is proposed on the connecting roads of Iowa. It is, however, chiefly a question of expense in working, not affecting the practicability or the success of the work. The evil is lessened by the fact that the large preponderance of tonnage will be westward, corresponding with the lower ascending grades. Additional motive power, at large cost, will be used at this end of the road over the first twenty-three miles. And when the freight traffic shall have become large, it will be better to make up the long trains for the west on the Elkhorn flats, adapting the number of cars to the nearly level grade of the Platte valley, and running them in short sections over the first twenty-two miles of high grades. But under the best plans the stubborn fact of these steep grades remains, and must ever be felt in the expense of working the road and maintaining its machinery.

After crossing the Elkhorn by a bridge of 200 feet, water-way, we are fairly in the great Platte valley, which is here eight or ten miles wide. For the next twenty miles over which we passed, reaching four miles above Fremont, this valley offers a cheaper line, as respects grading and bridging, than I have seen on any other railroad route for an equal extent. The concurrent statements of travellers and engineers represent the valley, as also the South Platte, as having the same general characteristics to the base of the mountains, with the additional expense of a few long bridges, such as Loup fork and the Platte. For five hundred miles the grades will probably vary from five to twenty feet per mile, conforming generally to the natural ascent of the valley.

Reaching the base of the first mountain range, the real difficulties of the work will begin. Five engineer parties have been engaged during six or eight months of the past season in preliminary surveys of the several passes through the mountain ranges, between the valley

of the South Platte and Salt lake, under the immediate orders of Mr. Dey. One of these parties engaged on and near the hundredth meridian was driven in before completing its work by the Indian hostilities. As the results will be fully reported by the engineers, I only make this brief allusion to these important mountain surveys, suggesting, however, that time should be given for very thorough examination before the route is determined.

The question of suitable material for building a good railroad, such as the government has a right to expect from its liberal contribution, was a subject of inquiry. For the first five miles from Omaha the culvert and draw masonry has been built of good limestone found in the river bluff. The masonry, though not in the best style of workmanship, will no doubt stand. Further out, in the vicinity of the Pappillon and the Elkhorn, a coarse dark-colored sandstone is found, of which the engineer proposes to build the bridge abutments, and drains. I think its durability questionable, though none better has yet been found in that vicinity. If used in bridge abutments or in any exposed position, it will probably have to be replaced from better quarries very soon. Along the Platte no good building stone has been discovered, and the engineer proposes timber for bridge piers as well as for the ordinary trestle-work. Mr. Dey has, however, discovered what he esteems a very valuable limestone quarry on the Pappillon, some seven miles south of the route, from which, by laying a railroad track of that length, he thinks an ample supply of good building stone can be procured, not only for renewing all timber structures in the Platte valley, but for the proposed bridge over the Missouri. This, if realized, will be a valuable resource to the work.

The question of suitable timber for ties is one of difficulty. When the mountains shall have been reached it is said that sufficient cedar can be procured: but along the Platte such timber as should be placed in a railroad track is manifestly wanting. For the first one hundred miles now under contract, the engineer proposes procuring ties up the Missouri, about one-sixth oak and the remainder cottonwood. Mr. Henry, one of the directors, who, together with Colonel Seymour, consulting engineer, accompanied me, as also Mr. Dey, engineer in charge, give the assurance that the cottonwood ties shall be Kyanized or Burnetized, by which process they hope to render them, perhaps, more durable than the best oak. This or some kindred process is essential. Cottonwood in its natural state will decay in three or four years.

Arrangements for an energetic prosecution of the work seem to be in progress, though the scarcity of labor is a hindrance difficult to overcome. When I passed over the line, October 24, the grading of the first five miles from Omaha was well advanced, and the first seven miles in the Platte valley, of the very light work before described, was nearly ready for the track. About 200 men, and the same number of horses and oxen, were then employed, with two excavating machines, each doing the work of many men. The engineer contemplates a commencement of track-laying by 1st June next.

The progress of this work will be greatly hindered for the want of a railroad connexion across the State of Iowa, the Missouri river navigation being unreliable for the transportation of materials. Under the circumstances the completion of some one of the Iowa roads to Omaha is a matter of national interest.

Very respectfully,

J. L. WILLIAMS.

Hon. J. P. USHER,
Secretary of the Interior.

Report of the president of the road on the surveys and progress of construction.

UNION PACIFIC RAILROAD COMPANY,
President's Office, 13 William street, New York, November 29, 1864.

SIR: The Union Pacific Railroad and Telegraph Company have organized under the act passed at the last session of Congress amending their charter, and have been actively engaged in prosecuting the work. They have surveyed lines to Salt Lake City, through the South Pass, through Laramie plains, through Bridger's Pass, by way of Timpanogos river, and by way of Weber river, with a view to determine the most feasible route. The full reports of these examinations have not yet been received, the engineers having been too busily engaged in field-work to write up their notes.

Parties have also been engaged in examination in Colorado Territory, through Berthoud's Pass and up the Cache la Poudre river, in examining the topography of the country in the vicinity of the one hundredth meridian, and in locating the line from Omaha to Fort Kearney. Operations of the engineers have been much interrupted by Indians, and the construction of the road has been delayed by raids in Missouri, through which the transportation of the company has been carried on.

But one hundred miles of road west from Omaha have been permanently located, approved by the President of the United States, and are under contract. On forty miles the grading is in progress, and the expenditures of the company for engineering, construction, and equipment exceed half a million dollars.

Yours, very respectfully,

JOHN A. DIX, *President.*

Hon. J. P. USHER, *Secretary of the Interior.*

Congress passes a resolution transferring maps and other documents relating to the surveys of the Pacific railroad to the Department of the Interior :

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all maps, profiles, and other drawings, together with estimates and reports connected with explorations and surveys for the Pacific railroad, made under the authority of the government, and all other information upon the subject of said road in the possession of any department of the government be transferred to the Department of the Interior, and that the Secretary of the Interior be authorized to furnish copies of the same, free of charge, to the Union Pacific Railroad Company, so far as they may be useful in aiding said company in determining the proper route for said road." Approved March 3, 1865.

General Delafield, chief engineer United States army, turns over to Department of the Interior all maps, reports, &c., relating to Pacific railroad :

ENGINEER DEPARTMENT,
Washington, April 5, 1865.

SIR: I am directed by the Secretary of War, under date of 31st ultimo, to comply with the joint resolution of Congress, approved 3d March, 1865, requiring the transfer of maps and other documents relating to the survey of the Pacific railroad to the Department of the Interior, making a complete inventory and taking receipts for them.

I accordingly transmit herewith a complete list of the maps, documents, &c., and have to request that you will designate some one to take possession of and receipt for the same.

Respectfully, your obedient servant,

RICHD. DELAFIELD,
General and Chief Engineer.

Hon. J. P. USHER,
Secretary of the Interior, Washington, D. C.

General location of railroad from end of first hundred miles to western boundary of Nevada :

The map showing the general location by the company of railroad from Salt Lake City to the western boundary of Nevada was filed in this department on the 29th of April, 1865.

That showing general location of same from end of first one hundred miles west of Omaha to Great Salt Lake City, Utah, was filed June 29, 1865.

The company apply for a change of a portion of their route west from Omaha for the purpose of reducing their grades :

DEPARTMENT OF THE INTERIOR,
Washington, D. C., April 29, 1865.

SIR: I have the honor to report that on the 4th of November last your predecessor approved the location of the Union Pacific railroad for one hundred miles west from Omaha, Nebraska, according to the accompanying map, certified by the president of said railroad company on the 19th of October, 1864, upon which the location is marked in red ink.

The company has recently, for the purpose of reducing the grades, proposed to change the location of a part of their line for some twenty-three miles west from Omaha, and has caused the said map to be marked with a blue line, so as to show the exact site of the new route to be adopted in lieu of that originally selected.

At the request of the directors, therefore, I submit to you the map showing the new route, and respectfully recommend that you approve it as the permanent location of that portion of the road between Omaha and its point of coincidence with the existing route, which point is about twenty-three miles west of Omaha, in section 16 of township 15 north, range 11 east.

I am, sir, with much respect, your obedient servant,

J. P. USHER,
Secretary of the Interior.

The PRESIDENT.

No evidence appears in the records of the department of any action having been taken by the President on the above letter of Hon. Secretary J. P. Usher.

On the 31st May, 1865, I was detailed, by order of the President, to report to the Hon. Secretary James Harlan, for duty in connexion with the examination of this question, and the following is my report submitted September 18, 1865. This report will be found to embrace the honorable Secretary's instructions and all the other incidental correspondence :

Report of Lieutenant Colonel James H. Simpson, corps of engineers, United States army, on the change of route west from Omaha, Nebraska Territory, proposed by the Union Pacific Railroad Company, made to Hon. James Harlan, Secretary of the Interior, September 18, 1865; with the President's decision thereon.

CONTENTS OF REPORT.

Report of Colonel Simpson.

Appendix A:

1. Letter from J. A. Dix, president of the Union Pacific Railroad Company, to the President of the United States, asking approval of change of location.
2. Letter from Hon. Jas. Harlan, Secretary of the Interior, to the President of the United States, submitting the above.
3. Letter from Hon. Jas. Harlan to J. A. Dix, transmitting views of the President, and asking if the company still requested the change.
4. Letter from J. A. Dix to Hon. Jas. Harlan, stating that the company still wished a change.
5. Order from the President of the United States, directing the Secretary of War to detail an engineer officer.
6. Letter from the Secretary of War to the Secretary of the Interior, notifying him of the detail made.
7. Order from the War Department, transferring Colonel Simpson to duty in the Department of the Interior.
8. Letter from Hon. Jas. Harlan to J. A. Dix, requesting maps, &c., of change proposed.
9. Letter from Thos. C. Durant to Hon. Jas. Harlan, transmitting the maps, &c., requested.
10. Report of S. Seymour, consulting engineer, on change of location.
11. Letter of J. L. Williams, member of locating committee, to Thos. C. Durant, on the change of location.

Appendix B:

1. Effect of grade and velocity on motive power.
2. Expenses of operating railroads.

Appendix C:

1. Letter from Silas Seymour, consulting engineer of the Union Pacific railroad, transmitting reasons for change in location, maps, profiles, &c., to Colonel Simpson.
2. Letter from John B. Jervis to S. Seymour, on the change of location.
3. Letter from D. H. Ainsworth to S. Seymour, on estimates for different routes.

Appendix D:

1. Letter from Colonel Simpson to S. Seymour, asking for maps, &c., and what route the company would build.
2. Letter from Thos. C. Durant to Colonel Simpson, on the policy of the company in changing the route, and agreeing to build on route 4, if approved.

Appendix E:

Letter from Peter A. Dey to Colonel Simpson, on the locations west of Omaha.

Appendix F:

1. Letter from E. B. Taylor to the Secretary of the Interior, enclosing remonstrance of commissioners from Omaha and Council Bluffs, on the change proposed.
2. Remonstrance of the above committees.
3. Letter from Peter A. Dey to the Secretary of the Interior, on the change of location.

Appendix G:

Letter from E. B. Taylor, one of the committee of citizens of Omaha, to Colonel Simpson, remonstrating against change of route.

Appendix H:

Letter from the committee from Omaha to Colonel Simpson and Hon. Springer Harbaugh, remonstrating against change of route.

Appendix I:

Letter from Thos. C. Durant to Colonel Simpson, replying to the above remonstrances.

Appendix K:

1. Letter from J. N. Dennison, treasurer of Burlington and Missouri River Railroad Company, to the Secretary of the Interior, against the change.
2. Letter from Hon. Jas. Harlan to J. N. Dennison, answering the above.
3. Letter from J. N. Dennison to Hon. Jas. Harlan, enclosing remonstrance.
4. Remonstrance of the Burlington and Missouri River Railroad Company against the change of line.

Appendix L:

1. Letter from Colonel Simpson to J. A. Dix, forwarding remonstrances of the Burlington and Missouri River Railroad Company.
2. Letter from J. A. Dix to Colonel Simpson, replying to remonstrance of the Burlington and Missouri River Railroad Company.
3. Letter from Colonel Simpson to J. A. Dix, on remonstrance of the Burlington and Missouri River Railroad Company.
4. Letter from J. A. Dix to Colonel Simpson, offering, on the part of his company, to waive all claim to lands to which they are not now entitled.
5. Letter from Colonel Simpson to J. A. Dix, in reference to delay in making this report.
6. Reply of J. A. Dix to Colonel Simpson.

Appendix M:

Letter of James T. Allan to Colonel Simpson, on rise in the Missouri river.

Appendix N:

Estimates of cost of constructing the different routes proposed.

Appendix O:

1. Map accompanying report.
 2. Profile accompanying report.
- Letter from the Secretary of the Interior, transmitting report of Colonel Simpson to the President.
- Indorsement on letter of the Secretary by the President.

REPORT.

INTERIOR DEPARTMENT,
Washington, D. C., September 18. 1865.

SIR: On the 6th day of June last I had the honor to receive at Cincinnati, Ohio, through the Engineer department, the following:

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,
Washington, May 31, 1865.

Special Orders, }
No. 268. }

[Extract.]

"94. Colonel W. E. Merrill, 1st veteran volunteer engineers, is hereby relieved from duty in the department of the Cumberland, and will report to the Chief Engineer of the army, to relieve Lieut. Colonel James H. Simpson, corps of engineers, from his present duties, at Cincinnati, Ohio.

"Lieut. Colonel Simpson, on being relieved, will report in person to the honorable Secretary of the Interior for duty in connexion with the examination of the lines of the Union Pacific Railroad west from Omaha, Nebraska Territory.

"By order of the Secretary of War.

"E. D. TOWNSEND,
"Assistant Adjutant General."

Colonel Merrill not arriving to relieve me immediately, I reported the fact to you, and in reply received the following telegram :

"WASHINGTON, June 12, 1865.

"Your instructions, with accompanying papers, have been mailed to your address, at Omaha, Nebraska, whither you will proceed at your earliest convenience.

"JAMES HARLAN, *Secretary*.

"Lieut. Col. SIMPSON,
"Corps Engineers, Cincinnati, O."

Colonel Merrill relieving me on the 26th of June, I repaired to Omaha the next day, taking the railroad, via Chicago and Quincy, to St. Joseph's, and proceeding thence to my destination by steamboat, at which point I arrived on the 4th of July. At Chicago Hon. Springer Harbaugh, one of the government directors of the Union Pacific Railroad, joined me and accompanied me thence on my mission. At Omaha we found Colonel Silas Seymour, the consulting engineer of the company, he having arrived from New York a few hours previous. The Colonel at once extended to us, as he had been instructed by the company, all the facilities necessary for the thorough accomplishment of the objects of our respective missions.

Opening my instructions, which were waiting me at this point, I found them as follows :

"DEPARTMENT OF THE INTERIOR,

"Washington, D. C., June 9, 1865.

"SIR: The War Department having detailed you for special duty, under the direction of the Secretary of the Interior, in relation to the application of the Union Pacific Railroad Company, for an amended location of a portion of the route of their road between Omaha City and the crossing of the Elkhorn, I enclose for your information certain reports, a map, and copies of sundry letters, as follows :

"1st. Letter of Hon. John A. Dix, president of the Union Pacific Railroad Company, under date of May 12, 1865, requesting the approval by the President of the amended or new location, together with extracts from the minutes of the executive committee, and the board of directors of the company.—[Appendix A, 1.]

"2d. Letter of the Secretary of the Interior to the President of the United States, in relation to the approval of said new location, and recommending that a competent officer of the engineer corps be detailed to make examination and report in relation to the relative advantages of the approved and the proposed location, and dated the 19th of May, ultimo.—[Appendix A, 2.]

"3d. Letter of Secretary of the Interior to Hon. John A. Dix, under date of 20th May, and inquiring whether the company adhere to their request for the approval of the new location, and enclosing copy of preceding letter.—[Appendix A, 3.]

"4th. Reply of Hon. John A. Dix, May 23, 1865, stating that the company adhere to their request for a new location of their road west of Omaha.—[Appendix A, 4.]

"5th. Order of the President of the United States to the Secretary of War, directing him to detail a competent engineer, in accordance with recommendations of Secretary of Interior.—[Appendix A, 5.]

"6th. Letter from Secretary of War to Secretary of Interior, dated June 3, 1865, stating that Lieutenant Colonel James H. Simpson had been detailed to make the examination.—[Appendix A, 6.]

"7th. Order of the Secretary of War, 21st May, directing Lieutenant Colonel Simpson to report in person to the Secretary of the Interior 'for duty in connexion with the examination of the lines of the Union Pacific Railroad west from Omaha.'—[Appendix A, 7.]

"8th. Letter of the Secretary of the Interior, under date of 5th instant, to Hon. John A. Dix, requesting maps and diagrams showing the actual location of the approved line and of the proposed line, and such other information as may be useful in preparing instructions for Lieutenant Colonel Simpson.—[Appendix A, 8.]

"9th. Letter of Thomas C. Durant, vice-president of Union Pacific Railroad Company, June 7, in reply to the above, encloses map showing the approved and proposed location, together with report of consulting engineer, dated December 21, 1864, and letter of Jesse L. Williams, January 2, 1865, 'on the location between Omaha City and Platte valley.'—[Appendix A, 9, 10, and 11.]

"A part of the fourteenth section of the act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the

government the use of the same for postal, military, and other purposes,' approved July 1, 1862, is transcribed in the letter of General Dix of the date of the 12th May, and your attention is invited to its phraseology, and that of section 4 of the amendment of said act, approved July 2, 1864. The terms referred to are set forth in the preceding sections of the act. The company is entitled to every alternate section of public lands [except mineral] designated by odd numbers to the amount of ten alternate sections per mile on each side of the road, and on the line thereof and within the limits of twenty miles on each side of the road, not sold, reserved or otherwise disposed of by the United States, and to which a homestead or pre-emption claim may not have attached at the time the line of said road is definitely fixed; and when forty consecutive miles of the railroad and telegraph are completed and equipped in the manner required by the act, and accepted by the President, patents are to be issued for said lands, and the company shall receive certain bonds of the United States to the amount of sixteen thousand dollars per mile for each completed section of forty miles.

"The enclosed papers will sufficiently indicate the nature of the duty which you are to discharge. It is hardly necessary for me to add that you are to ascertain, by a thorough personal examination, whether the new or the existing location, both of which are distinctly designated on the accompanying map, offers a more 'direct and practicable route' between Omaha and the valley of the Elkhorn.

"It will not, perhaps, be indispensably necessary to resurvey the lines of these locations, as you will have free access to the maps, profiles, surveys, and estimates made by the company and on file in their office at Omaha. You should, however, make such surveys as will enable you to test thoroughly the accuracy of the surveys of the company and the reliability of their estimates, and to determine the exact character of the country over which each line passes.

"You will make a full and detailed statement of all the facts elicited by your examination, so that the President of the United States may be enabled to decide whether, under existing circumstances and in view of the legislation of Congress, he should approve the abandonment of the old and the adoption of the proposed new location between the points aforesaid. You will also add your own opinion upon the subject. As it is of great importance that the prosecution of the work should not be delayed, you will make the required examination and report to this department at as early a period as practicable.

"I am, sir, very respectfully, your obedient servant,

"JAMES HARLAN,
Secretary of the Interior.

'Lieut. Col. JAMES H. SIMPSON,
"Corps Engineers, Omaha, Nebraska."

In accordance with the foregoing instructions, I proceeded at once to the ascertainment of all the facts bearing on the question of the expediency of the abandonment of the old and the adoption of the newly located line. Ten days was I employed, in company with Mr. Harbaugh and Colonel Seymour, in personally and thoroughly examining the two routes, and obtaining all the facts of topography relating to the immediate line of the route, and those having a more distant but important bearing on the question. During this time the company's maps and profiles of their surveys were also studied and tested.

To comprehend the problem propounded, I beg leave to refer you to the accompanying map and profiles, showing the different lines which have been surveyed.

The old line extended from Omaha westwardly to point C, in the valley of the Elkhorn river, and is designated on the map as far as the point of divergence A of the two lines by a full red line; thence to the point of convergence B, by a red dotted line; and thence to point C, by a full red line;* the whole distance being 22.72 miles.

The second or amended line extends from Omaha to point C, in the valley of the Elkhorn river, and is marked by the full red line; the whole distance being 31.44 miles, and the portions between Omaha and the point A, and between the points B and C, common to both lines.

The ruling grade on the old line, as I have ascertained by referring to the profile ascending westward, is 66 feet to the mile; ascending eastward, 79.45 feet to the mile.

* In preparing the report for publication the colors are necessarily omitted.

The ruling grade on the new or amended portion, ascending westward between the points A and B, is 40 feet to the mile, and can easily be reduced to 30 feet; ascending eastward, 40 feet to the mile, and can easily be reduced to 30; leaving on the portion common to the two lines an ascending westward grade between Omaha and the point A of 66 feet to the mile, and between the points B and C an ascending eastward grade of 79.2 feet to the mile.

Now as Colonel Seymour, in his argument accompanying this report, marked appendix A 10, *assumes* a ruling grade of 40 feet on the whole extent of the new or amended line, extending from the Omaha to the Elkhorn, and as at the time of my examining this line he had practically obtained this 40 feet grade only on the portion of the line between the points of divergence and convergence A and B, and *not* on the portions common to both the old and the new line of location, I directed an instrumental survey to be made under Mr. D. H. Ainsworth, civil engineer, to ascertain the practicability of obviating the objectional grades in the manner suggested by Colonel Seymour; that is, by a line from Omaha down the Missouri valley for a distance of 2.75 miles, and thence ascending the bluff by a ravine, and connecting with the Mud creek route at or near station No. 421. This line is marked in blue on the map.

The map and profiles of this route, which have been submitted to me, show that, without any unreasonable expense, a grade of 30 feet ascending westward, and the same grade ascending eastward, can be obtained, with a shortening of the distance between Omaha and the point of intersection with the Mud creek route, $\frac{1}{10}$ of a mile.

The profile of the Mud creek route also shows that the objectionable grade of 79.20 to the mile descending to the valley of the Elkhorn can practically be reduced to 30 feet to the mile.

The following table exhibits these several lines, and some others, reference to which will be made in the sequel :

DESIGNATION OF ROUTE.		Number.	Length of lines in miles and decimals from Missouri river to valley of Elk-horn or Point C.	Maximum grades in feet, per mile.		Remarks.
Color.				Ascending westwardly.	Ascending eastwardly.	
On map.	On profile.					
Full and broken red	Full red	1	22. 73	66	79. 45	Old location, with 80 ft. grade.
Red.	Not shown	1a	22. 73	50	50.	Old location, with 50 ft. grade.
Red.	Not shown	1b	22. 73	40	52.	Old location, with 40 to 52 ft. gr.
Red.	Dotted red	2	22. 73	40	40.	Do. 40 ft. gr.
Full red	Black	3	31. 44	66	79. 45	Now graded.
Blue and red	Blue	4	30. 76	30	30.	Proposed hereafter.
Dotted orange and full red.	Yellow & blue ..	5	27. 66	20	30.	Bellvue terminus.

With these facts ascertained from instrumental surveys, and which more than bear out Colonel Seymour's assumptions, and with the pledge of the railroad company (see appendix D, Nos. 1 and 2) that they will reduce the grades between Omaha and the valley of the Elkhorn (point C) on the proposed route to 30 feet per mile, ascending both eastward and westward, I proceed to discuss the question of the abandonment of the old or No. 1 line, and the adoption of the new improved route No. 4, as shown on the map and profile sheet.

Discussion of the subject.

In discussing the relative merits of the two routes (No. 1 and No. 4) between Omaha and the valley of the Platte or Elkhorn river, (they are synonymous,) it would at first sight seem proper to compare only the portion actually changed, or that between A and B. Closer examination shows this view to be incorrect, for the reason that the light grades ascending the valley of the Elkhorn commence at this river, and therefore all trains going east or west will necessarily require to be rearranged there. On neither route is there sufficient difference between the ruling grades east and west of the point of intersection B to make it worth while to have trains stopped and rearranged at that point also.

On both routes trains will be run between Omaha and the Elkhorn without change. I will therefore calculate the cost of the through trip, and maintenance of way between those points.

It is assumed by J. L. Williams, government director, in his letter to Thomas C. Durant, vice-president of the road, that the freight tonnage westward will reach 300,000 tons per annum, and that eastward 150,000 tons.

The following facts supporting his views will be interesting :

In 1856 total freight tonnage, both ways, on New York and Erie railroad was 842,054 tons; total freight on the New York Central railroad was 670,073 tons; about 155,000 tons in each case were through freight.

From a prospectus of Butterfield's overland despatch we learn that from May to November, 1864, there were carried to the Territories from the Missouri river over 63,000,000 pounds (say 32,000 tons) of freight by cattle and mule trains.

It is stated by the heaviest merchants of Colorado and Utah that the merchandise shipments to that section the succeeding year would be 250 per cent. larger than during the previous year.

Total freight, then, six months in 1864.....	32,000 tons.
Total additional estimate for 1865.....	80,000 tons.

Total estimate wagon freight for 1865.....	112,000 tons.
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It is clear, with the additional facilities afforded by a railroad, the rapidly increasing population, and through freight to California, this amount will be increased enormously.

Since nearly all the westward freight will pass over the first portion of the road (between A and C,) even if it does not make the through trip, it is by no means improbable that the westward freight will be 300,000 tons long before the road is completed.

It is more difficult to estimate passenger traffic. I will assume this to be 300,000 going west and 250,000 coming east each year. This is much below what some of the New York roads are doing now in passenger business, and is not a large estimate for the passenger business of the road when it is completed.

EFFECT OF RULING GRADES ON THE TRAFFIC OF EACH ROUTE.

Table showing proportional number of cars an engine can haul up different grades and at different velocities.

Grades in feet per mile.	Velocity in miles per hour.								
	0	10	20	30	40	50	60	70	80
0	100.0	90.2	78.3	66.6	56.0	46.5	38.4	31.6	25.9
10	60.0	56.2	51.0	45.6	39.9	34.5	29.5	25.1	21.1
20	42.1	40.4	37.1	34.3	30.8	27.3	23.8	20.6	17.6
30	33.0	31.3	29.5	27.3	24.8	22.3	19.8	17.9	15.0
40	26.1	25.3	24.1	22.5	20.7	18.7	16.8	14.9	13.0
50	21.8	21.2	20.2	19.0	17.6	16.0	14.5	12.9	11.3
60	18.5	18.0	17.3	16.4	15.2	13.9	12.7	11.4	10.1
70	16.0	15.6	15.1	14.3	13.3	12.3	11.2	10.1	9.0
80	14.1	13.8	13.3	12.6	11.9	10.9	10.0	9.0	8.0
90	12.5	12.2	11.8	11.2	10.6	9.8	9.0	8.1	7.3
100	11.1	10.9	10.5	10.1	9.5	8.7	7.9	7.2	6.6
110	10.0	9.8	9.5	9.1	8.6	8.0	7.4	6.7	6.0
120	9.1	8.9	8.7	8.2	7.8	7.7	6.7	6.0	5.4

The formulæ by which the above table was calculated, to avoid encumbering too much the body of this report with details, have been placed in appendix B, part 1.

COST OF OPERATING RAILROADS.

As will be seen, for reasons more fully stated in appendix B, the subdivision of the annual expenses and the arrangement of the formulæ depend on which characteristics of the different routes are alike, and which are different.

I here have assumed that the two routes, Nos. 1 and 4, are alike in traffic, speed, size of engine, and cars, and that they differ in length of line, in grades, and, consequently, in size of trains.

It may be suggested that on the line of heavier grades it would be economy to employ heavier engines. So it would be also on the line of light grades; but the same limit is imposed on each, viz: the point beyond which an increase in the weight of engine is no longer economy from the increased destruction to track, balancing the saving on other train expenses.

If the heavy ruling grades governed only a short portion of the old route, it would be proper to assume that an assistant engine was employed on that portion; and after calculating the cost of working the whole route on the assumption that the size of trains was regulated by the lighter grades of the remainder of the route, the additional motive power used on the heavy grades could be added. But since the ruling grades extend over so large a portion of the route, and since additional motive power is so expensive from time lost waiting for trains, and empty return mileage, I think it should not be included in the calculations.

With these conditions the following data for the comparison have been calculated from the reports of roads in actual operation, as shown more fully in appendix B, part II.

Cost of maintenance of way per mile of single track per annum = \$672 59 +
\$7,136 91

t = proportional number of cars on ruling grade to 100 on a level from table.

Expenses dependent on train mileage:

Freight trains..... 55.50 cents }
Passenger trains..... 49.214 cents } per mile run by train.

Expenses dependent on car mileage:

Freight cars..... 0.726 cent } per mile run by cars.
 Passenger cars..... 1.750 cent }

Expenses of loading and unloading freight: 20 cents per ton.

Miscellaneous and station expenses: 22 per cent. of sum of preceding.

COMPARATIVE EXPENSE OF OPERATING THE TWO ROUTES.

Data.	No. 1, old line.	No. 4, new line.
Length of line in miles.....	22.72	30.76
Maximum grades, ascending east, in feet.....	79.45	30.6
Maximum grades, ascending west, in feet.....	66.0	30.0
Relative number of freight cars that can be taken over grades at 15 miles per hour, { East.....	13.7	30.8
Relative number of passenger cars that can be taken over grades at 30 miles per { West.....	16.3	30.8
hour..... { East.....	12.7	27.3
Relative number of freight cars, one-half loaded, 15 miles per hour, going East.....	15.1	27.3
Relative number of passenger cars, five-sixths loaded, 30 miles per hour, going East.....	18.0	41.1
	13.2	28.4

It will be seen, first, that by assuming return freight half of that westward on both lines, the engine can bring back more half-loaded freight cars than it can take out; second, that assuming the passengers returning to be five-sixths of those going West on the old route, 15.1 can be taken West, but only 13.2 brought back.

The relative size of the trains, as determined by the smallest number of cars it can take either way, will therefore be—

For freight, old line, 16.3; new line, 30.8 cars.

For passengers, old line, 13.2; new line, 27.3 cars.

These numbers will represent with sufficient accuracy the actual size of the freight trains, being rather larger than the average number of cars on most freight roads. But, since passenger cars are 50 per cent. heavier than freight, and the engines are always lighter, the number on each route should be divided by two for number of cars in passenger trains. We will then have for passenger trains 6.6 on old line; 13.6 on new.

I have assumed the average load per freight car at 6 tons. This is above the average, as may be seen by examining annual reports of New York railroads.

Passenger cars I have assumed to leave Omaha filled, and to return five-sixths filled. If the car loads in practice are less than these numbers, as will probably be the case, both the train and car mileage, perhaps, will be increased, and the saving on the new line be greater than the calculation shows.

ANNUAL EXPENSE OF OPERATING THE TWO ROADS.

Cost per mile of maintenance of way on any road = $\$672.59 + \frac{\$7,136.91}{t}$

t = tabular number to 100 cars on level: mean of its freight and passenger value to be used.

Old route, No. 1.		New or proposed route, No. 4.	
$t = 14.75. \frac{\$7,136.91}{t} =$	\$483.86	$t = 29.05. \frac{\$7,136.91}{t} =$	\$245.67
Add.....	672.59	.....	672.59
Cost per mile.....	1,156.45	.....	918.26
Multiply by length of road in miles.....	22.72	.....	30.76
Annual cost of maintenance of way.....	<u>\$26,275</u>	.....	<u>\$28,246</u>

FREIGHT BUSINESS.

$$\text{Train mileage} = \frac{\text{Annual tonnage} \times \text{length in miles}}{\text{Number of cars in a train} \times \text{number of tons in car.}}$$

<i>Old route.</i>		<i>Proposed route</i>	
$\frac{300,000}{16.3 \times 6} \times 22.72 =$	69,693 miles.	$\frac{300,000}{30.8 \times 6} \times 30.76 =$	49,935 miles.
Add return trip.....	69,693 "	.....	49,935 "
Total freight train mileage.....	139,386 "	.....	99,870 "
Multiply by cost per mile.....	55.50 cents.	.....	55.50 cents.
Annual cost.....	<u>\$77,359</u>	.....	<u>\$55,428</u>

$$\text{Freight-car mileage} = \frac{\text{Annual tonnage}}{\text{Number of tons in a car}} \times \text{length in miles.}$$

<i>Old route.</i>		<i>Proposed route.</i>	
$\frac{300,000}{6} \times 22.72 =$	1,136,000 miles.	$\frac{300,000}{6} \times 30.76 =$	1,538,000 miles.
Multiply by cost per car mile....	0.726 cent.	.....	0.726 cent.
Cost westward.....	\$8,247	.....	\$11,166
Add cost of return trip.....	8,247	.....	11,166
Total cost.....	<u>\$16,494</u>	.....	<u>\$22,332</u>

LABOR OF LOADING AND UNLOADING FREIGHT.

I will assume that the portion of the line being discussed is about one-fiftieth of the average distance freight will be transported. It does not matter much what proportion is charged to this portion of the line, as the expense will be the same on each route.

<i>Old route.</i>		<i>Proposed route.</i>	
$\frac{300,000 \text{ tons} \times 20 \text{ cents}}{50} =$	\$1,200	$\frac{300,000 \text{ tons} \times 20 \text{ cents}}{50} =$	\$1,200
Return freight.....	600	.....	600
Total annual cost.....	<u>\$1,800</u>	.....	<u>\$1,800</u>

PASSENGER BUSINESS.

$$\text{Train mileage} = \frac{\text{Number of passengers per annum} \times \text{by length of road in miles}}{\text{Number of cars in train} \times \text{number of passengers in car.}}$$

60 passengers are assumed to each car.

<i>Old route.</i>		<i>Proposed route.</i>	
$\frac{300,000}{6.6 \times 60} \times 22.72 =$	17,212 miles.	$\frac{300,000}{13.6 \times 60} \times 30.76 =$	11,130 miles
Return.....	17,212 "	.....	11,130 "
Annual train mileage.....	34,424 "	.....	22,260 "
Multiply by cost per mile.....	49.21 cents.	.....	49.21 cents.
Annual cost passenger train mileage. <u>\$16,940</u>		.....	<u>\$10,954</u>

Passenger car mileage = $\frac{\text{Number of passengers per annum}}{\text{Number of passengers per car}} \times \text{length of road in miles.}$

<i>Old route.</i>		<i>Proposed route.</i>	
$\frac{300,000}{60} \times 22.72 =$	113,600 miles.	$\frac{300,000}{60} \times 30.76 =$	153,800 miles.
Return	113,600 "	.....	153,800 "
Annual car mileage.....	227,200 "	.....	307,600 "
Multiply by cost per mile.....	1.75 cent.	.....	1.75 cent.
Annual cost of passenger car mileage.	<u>\$3,976</u>	.....	<u>\$5,384</u>

SUM OF PRECEDING.

<i>Old route.</i>		<i>Proposed route.</i>	
Maintenance of way.....	\$26,275	.....	\$28,246
Freight transportation	77,359	.....	55,428
Freight cars.....	16,494	.....	22,332
Loading cars.....	1,800	.....	1,800
Passenger transportation.....	16,940	.....	10,954
Passenger cars	3,976	.....	5,384
Sum	142,844	.....	124,144
Add 22 per cent. for station and miscellaneous expenses.....	31,426	.....	27,312
Annual cost of operating road and maintenance of way	\$174,270	.....	\$151,456

Making difference in annual cost of operating road \$174,270 minus \$151,456, or \$22,814 in favor of the new or proposed No. 4, over the old route, No. 1.

It will be noticed that I have estimated the trains on each route as being up to the full power of the engine. In practice it is probable they would average at least one-third less. By diminishing the size of the trains the number of trips on each route would be increased, and the saving on train mileage become still greater on the proposed route. Taking this into account, and the deterioration of the greater number of engines employed on old line, the annual saving on proposed line would be even greater than the calculations show.

In the foregoing discussion I have not taken into consideration, which will now be done, the effects of—

CURVATURE ON THE DIFFERENT ROUTES.

On account of the uncertainty in the data for calculating resistance of curves, I think it best to apply a correction to cost of operating each route for any special peculiarities in its curves, in preference to calculating the absolute value of this resistance.

Number of route.	Total curvature.	Minimum radius.	Curvature per hundred feet.
1	1,065° 48'	1,433 feet.	4° curves.
2	1,065 48	1,433 feet.	4 curves.
3	823 52½	1,433 feet.	4 curves.
4	825 42	1,146 feet.	5 curves.
5	758 41	1,433 feet.	4 curves.

EFFECT OF TOTAL CURVATURE.

The resistance of curves is variously estimated. The following are some of the values assigned, the results having been reduced to the ascent in feet equivalent in resistance to one degree of curvature:

Authority.	Equivalent ascent in 100 feet.
Charles Ellett, Virginia Central Railroad.....	.050 ft.
Anonymous.....	.041 ft.
D. C. McCallum, Erie railroad.....	.025 ft.
Latrobe.....	.023 ft.
Baltimore and Ohio railroad.....	.013 ft.
	<hr/>
	5). 152 ft.
	<hr/>
	.0304 ft.

That is to say, the resistance due to 1° of curvature in 100 feet is equivalent to an ascent of .0304 foot in that distance.

The excess of total curvature on route No. 1, over proposed route No. 4, is $240^{\circ} 6'$; this is equivalent to an ascent of 7.3 feet. It is common to estimate 20 feet additional elevation on a road as equivalent to a mile in length. At this rate the effect of curvature on the comparison of routes 1 and 4 is against route No. 1 to the extent of adding $\frac{1}{2}$ of a mile to its length.

Length of road enters as a factor into all the expenses of a road; except loading and unloading freight.

The annual expenses of operating route No. 1 being \$174,270, this amount multiplied by $\frac{\frac{1}{2}}{22.72} = \frac{1}{68.16}$ gives \$2,557 as the annual difference in expense against route No. 1 in the comparison between it and route No. 4, and due to its greater amount of curvature. But as there are reasons why this method will give too large a value to the effect of curvature, I will put it at \$2,000.

Route No. 5, it will be noticed, has less curvature than any other suggested, being $67^{\circ} 01''$ less than route No. 4, which has been assumed as the standard of comparison from its being intermediate in total curvature between routes Nos. 1 and 5. The difference in annual expenses of operating, due to total curvature, and in favor of this route, is a little less than \$500. But since the estimate for curvature on this route is based on the survey marked with full orange line, down the valley of the Pappillon, and is susceptible of the improvement as shown by the orange *dotted* line, or No. 5, I think the lowest difference in effect of curvature on annual expense of transportation in favor of this route, No. 5, can safely be estimated at \$500.

EFFECT OF MINIMUM RADII.

When a curve of short radius occurs on a ruling grade, its effect is to diminish the number of cars an engine can haul; under other circumstances the surplus power of the engine overcomes the additional resistance.

The routes have all the same minimum radius, except No. 4, which has two curves of 1,146 feet radius. But since neither of them occur on the ruling grade, (i. e., on the 30 feet grade ascending westward the Missouri bluff,) one of them being just before its foot, and the other past its summit, they do not, as explained above, add to the cost of working this route.

The following table shows in a condensed form the results of the preceding discussion. Fifty per cent. has been added to the cost of operating the road, as calculated on New York prices of 1856, to arrive at present western prices:

Table showing comparative advantages of the different routes.

Name of route.	Length in miles	Maximum grade in feet per mile, ascending.		Total curvature.	Minimum radius in feet.	Estimated cost of construction.	Cost per mile.	Annual interest on cost of construction.	Annual expense of operating road.	Total annual expense.
		West.	East.							
No. 1, original line..	22.72	66.	79.45	1066°	1433	\$1,160,740	\$51,081	\$82,251	\$264,405	\$346,656
No. 1a, original line.	22.72	50.	50.	1066°	1433	2,150,329	94,644	150,523	219,717	370,240
No. 1b, original line.	22.72	40.	52.	1066°	1433	2,239,756	98,581	156,783	200,117	356,900
No. 2, original line..	22.72	40.	40.	1066°	1433	2,329,184	102,517	163,043	195,905	358,948
No. 3, constructed...	31.44	66.	79.45	824°	1433	917,275	29,175	64,209	361,830	426,039
No. 4, proposed.....	30.76	30.	30.	826°	1146	1,050,170	34,141	73,512	227,184	300,696
No. 5, Bellevue.....	27.66	20.	30.	759°	1433	872,102	31,529	61,047	187,063	248,130

NOTE.—These estimates of cost of construction are taken from those furnished by the company, to be seen in appendix N, except those for line 1b, which have been interpolated between No. 1a and 2.

Not having the necessary data, interest on station buildings and deterioration on rolling stock, &c., have been omitted. They would add about the same amount to cost of transportation on each route, and not alter the comparison.

TIME CONSUMED IN MAKING TRIP.

This depends on the length of road and delays of stations; the routes with heavy grades will run more trains daily, and have more detention than those of light grades. This is the case especially in freight business. I think, therefore, that the trip for freight would, in practice, consume about the same time on the three routes, while for passengers it would be from 15 to 20 minutes shorter on the old route; but this is of much less importance than the cost of transportation and construction.

In the foregoing table I have included all the routes which have been suggested between the Missouri river and the Platte or Elkhorn valley, their characteristics, cost, and annual expenses of operation. To sum up their relative advantages to the country at large, the government and the company, as expressed by the interest on cost of construction and the expense of operating and maintaining road—

Route No. 1a is 6 per cent. inferior to original route No. 1.

Route No. 1b is 3 per cent. inferior to original route No. 1.

Route No. 2 is 3 per cent. inferior to original route No. 1.

Route No. 3 is 19 per cent. inferior to original route No. 1.

Route No. 4 is 15 per cent. superior to original route No. 1.

Route No. 5 is 40 per cent. superior to original route No. 1.

It will be noticed that besides the grades of 66 and 80 feet proposed by the company for the original line of location, three additional sets of grades have been included in the investigation. This was done to see whether by adopting lower grades the total annual expense could be diminished. An inspection of the results will show this view to be erroneous (at least for the grades suggested.) The expense of operating the road, it is true, diminishes with the grade; but the interest on cost increases in a greater ratio. The sum of the two necessarily determines the lowest rate of charge for transportation; and, therefore, it would be against the interest of the public to cut down the grade on old line to 40 or 50 feet per mile. But even if the investigation had produced a different result, and had shown that, by spending over a million of dollars additional on

this part of the road, the rates of transportation could be reduced five or ten per cent., I would doubt the expediency of the outlay.

With a thousand miles of expensive work before it, strict economy, skilful engineering, and sound judgment, in all points where they apparently differ, will be absolutely essential to carry on this great work steadily to its completion.

This will be especially necessary at this end of the line, which must be more than self-supporting on account of the heavy expenditures, both of construction and operation, to be met in the mountains.

Viewed simply as a problem in engineering to select the best route to connect the Union Pacific railroad with the Missouri river, *the result is unquestionably, as the table shows, in favor of No. 5, or Bellvue route.*

But if the terminus is to be necessarily at Omaha, it is equally clear, that of the routes running westward from that city the best is route No. 4, or that which the company have proposed and pledged themselves to build.

In the foregoing comparison I have introduced the line of route No. 5, terminating at Bellvue. It might be deemed irrelevant to have done this, as my instructions were to give all the facts bearing on the question of the most direct and practicable route west from Omaha, and my opinion on the subject. But still, the fact is apparent to any one conversant with the topography of the country about Omaha and Bellvue, or who will examine the map and profiles accompanying this report, that the present necessitated and proposed route, No. 4, bending, as it does, toward and within three miles of Bellvue, ** must eventuate in a change in the terminus of the railroad and site for crossing the Missouri river from Omaha to Bellvue.* It must do this for the reason that the suggested line running down the valley of the Pappillon, and connecting No. 4, or Mud Creek route, with the valley of the Missouri river at Bellvue, (see this route indicated by an orange dotted line on the map and profiles,) affords an easy practicable grade of 20 feet to the mile ascending westward, and of 30 feet ascending eastward; is shorter than No. 4, and terminates at a point on the Missouri river bottom, where there is a better site than at Omaha for the depot buildings, work and machine shops of the road, and a more feasible crossing for the costly drawbridge contemplated by the act of Congress, and which must eventually be thrown across the Missouri to connect with the Mississippi and Missouri River railroad already located down the Mosquito creek, on the opposite side of the Missouri.

By looking at the map you will notice, that the Missouri striking against the west bank of the river just above Omaha, at right angles, impinges on it with the whole force of the current, and then is reflected southwardly in a more or less straight line along the front of the city. The effect of this (and it is now occurring) is to erode the left bank at D, and as there is a partial slough or stretch of low ground extending along the bend at the foot of the bluff, there is a threatening contingency that this whole river bottom in front of the city will sooner or later be carried away by the force of the current, particularly as it is subject to an overflow in high freshets of several feet. See appendix M. This bottom, then, can be no secure foundation for the expensive depot buildings, machine and work shops, which would be required at the terminus of the road.

At Bellvue, on the contrary, the river making no such considerable bend, but impinging against the high bluff, and passing thence in a comparatively straight and narrow channel, there is no such threatening contingency; besides, there is a better prospect on this account of securing, as before stated, a permanent channel through the drawbridge.

* By the proposed railroad route 5.17 miles.

The distance across, the river, as given me by Mr. Ainsworth, who was directed by me to measure them, are as follows :

At ferry at Omaha.....	1, 150 feet.
At ferry at Bellvue.....	900 feet.
At trading-house at Bellvue.....	1, 500 feet.

At Bellvue there is a rock foundation for the bridge for about half the distance, if not entirely across the river, and rock suitable for the bridge crops out in the immediate vicinity of the site.

At Omaha there is also said to be a rock bottom for the foundation of the bridge for about half the distance and possibly entirely across the river, but at the time I examined the site the river was so high as to prevent me seeing it.

In addition to the foregoing, it may be also said in favor of the Bellvue route, No. 5, that, with equally as good if not better grade, it shortens the connexion with the Mississippi and Missouri railroad route more than two miles, as follows

Route.	Length.	Length of connexion.	Total distance from common points on M. and M. road to point C, Elkhorn valley.
No. 1, 1a, 1b, 2 ..	22. 72 miles ..	8. 40 miles ...	31. 12 miles.
No. 3.....	31. 44 miles ..	8. 40 miles ...	39. 84 miles.
No. 4.....	30. 76 miles ..	8. 40 miles ...	39. 16 miles.
No. 5.....	27. 66 miles ..	6. 30 miles ...	33. 96 miles.

In this connexion, I respectfully refer you to the following extract from the report of Mr. P. A. Dey, to be found in the report of the organization and proceedings of the Union Pacific Railroad Company, appendix I. Mr. Dey, who made the preliminary surveys for the company, speaks as follows of the Bellvue route :

"The line from Bellvue, though between five and six miles longer than either of the northern ones, has lighter grades and presents less difficulties of construction than either of the others, making, in the main, an uniform ascent from the Missouri to the summit of the Elkhorn. For cheapness of construction and operating this is, without any question, the most desirable line."

For a clear view of the grades and lengths of this and the other routes, I respectfully refer you to the profiles accompanying this report.

Situated as I am, an officer of the engineer corps of the army, sent out by the President to report facts bearing on the best interests of the country at large, without partiality, fear or affection, and with no interest to subserve, but to do my duty to the best of my ability, I would be derelict in my office did I blink these important facts, which are so apparent to all who have any knowledge of the topographical features of the region of which I am treating ; and although these views conflict with the order of President Lincoln, fixing Omaha as the initial point of the road, yet, as railroads will always eventually be located where the inexorable features of topography indicate the best channels for enterprise and trade, it certainly would be best for the people generally, the government, the citizens of Omaha, and the railroad company, that the change of place of crossing the river should be made at once, rather than at some future time, when it could not be effected except at the sacrifice of all the accumulated capital that had been invested in Omaha on account of the road. On this point I fully concur with Messrs. Lowe and Monell, committee on the part of the citizens of Omaha, when they say, in their communication addressed to Hon.

Springer Harbaugh, government director, and myself, remonstrating against any change in the original location of the road, that—

"If Omaha is not entitled to the initial point as located by President Lincoln, or if the fixed line of direction west can be so changed as to render the initial point useless as a terminus, let the permanent change of terminus be made at once."

Again: "If we must lose the promised advantages of this road, let us lose them now; but if retained now, let it be fixed beyond change, without good and sufficient cause. See appendix H.

The following papers, in addition to those before noted in your instructions of June, 9, 1865, will be found appended to this report:

Effect of grade and velocity on motive power. Appendix B, Part I.

Expenses of operating railroads. Appendix B, Part II.

Letter from Colonel Silas Seymour, dated August 29, 1865, transmitting map, profiles, estimates, and other documents, and submitting the question at issue for final investigation and report. Appendix C, Nos. 1 and 2.

Correspondence between Lieutenant Colonel J. H. Simpson and officers of the Union Pacific Railroad Company, in relation to the company's intention and pledge to improve the grade of the new or Mud Creek route, No. 3, so as to make it conform to No. 4 route, with grades of 30 feet ascending westward and eastward. Appendix D, Nos. 1, 2, and 3.

Letter from Peter A. Dey, C. E., in relation to the location of the Union Pacific railroad. Appendix E.

Communication to the Secretary of the Interior from E. B. Taylor, esq., forwarding a communication to him from Messrs. Gilbert C. Monell and Enos Lowe, committee appointed by citizens of Omaha, and Messrs. Samuel Clinton, Samuel Haas, and Thomas Jeffries, committee appointed by citizens of Council Bluffs, requesting that President Johnson and the Secretary of the Interior be seen and urged to summon Peter A. Dey, formerly engineer in charge of preliminary surveys of the Union Pacific railroad, for purpose of consultation. Appendix F, Nos. 1, 2, and 3.

Communication of E. B. Taylor, one of committee of citizens of Omaha, dated July 11, 1865, remonstrating against change by Union Pacific Railroad Company of original location of road. Appendix G.

Communication from Messrs. Enos Lowe and Gilbert C. Monell, committee representing the commercial and financial interests of Omaha, and also of the stockholders residing there, remonstrating against change of original location of road west from Omaha. Appendix H.

Reply of Thomas C. Durant, vice-president of the Union Pacific Railroad Company, to communication of Messrs. Lowe and Monell, committee of citizens of Omaha, remonstrating against change of original location of road west from Omaha. Appendix I.

Communication from J. N. Dennison, treasurer Burlington and Missouri River railroad, forwarding to Secretary of the Interior a remonstrance from J. W. Brooks, president of said company, against the approval by the President of the United States of a change by the Union Pacific Railroad Company of the route originally adopted by it and approved by the President. Appendix K, Nos. 1, 2, 3, and 4.

Correspondence between Lieutenant Colonel J. H. Simpson and General John A. Dix, growing out of said remonstrance of Mr. Brooks, president of Burlington and Missouri River railroad. Appendix L, Nos. 1, 2, 3, 4, 5, and 6.

Letter from James T. Allan, giving his observations in relation to the rise in the Missouri river at Omaha. Appendix M.

Estimates of different routes. Appendix N.

Map and profiles of routes. Appendix O, Nos. 1 and 2.

The above-mentioned documents I forward with this report, as they are requisite to a full history of the mission on which I was ordered; and although, on account of the purely engineering character of the questions involved, I have only made use of them so far as they throw any light on this portion of the subject, yet I have deemed it proper to lay them before you in order, that they may have all the weight which, in your judgment, they are entitled to.

I cannot close the report without expressing my obligations to the officers of the Union Pacific Railroad Company for the uniform courtesy I received from them at all times, and the prompt response I met to every call for information and facilities necessary to a full comprehension of the subject upon which I have been directed to report.

I also acknowledge the many hospitalities which Mr. Springer Harbaugh, government director, Colonel Silas Seymour, consulting engineer of the Union Pacific Railroad Company, and myself received at the hands of the citizens of Omaha and Council Bluffs, during our sojourn among them while engaged in our examinations.

I also take pleasure in acknowledging the very valuable aid I have received from my assistant, Mr. John R. Gilliss, C. E., in the elaborate investigations of which this report has been the occasion.

All of which is respectfully submitted.

J. H. SIMPSON,

Lieutenant Colonel Engineers, United States Army.

Hon. JAMES HARLAN, *Secretary of the Interior.*

APPENDIX A.**No. 1.**

UNION PACIFIC RAILROAD COMPANY, PRESIDENT'S OFFICE,
New York, May 12, 1865.

SIR: I have the honor to transmit herewith, for the consideration of your excellency, a map showing the amended location of a portion of the route of the Union Pacific railroad between Omaha City and the crossing of the Elkhorn river; also, a "report of the consulting engineer on the location between Omaha City and the Platte valley, dated December 21, 1864;" also, a "letter of J. L. Williams on the location between Omaha City and Platte valley;" also, a "copy of the minutes of the proceedings of the executive committee and board of directors of the Union Pacific Railroad Company upon the subject of a change in the location of a portion of the road between Omaha and the Platte valley, at a regular meeting held in New York on the 3d, 4th, 5th, and 6th of January, 1865;" and to ask, in behalf of the Union Pacific Railroad Company, that your excellency will approve of said amended location, and the abandonment of the former location, in order that said map be filed in the Department of the Interior as an amendment to the map filed in said department under date of October 19, 1864.

Section 14 of the act of Congress approved July 1, 1862, granting government aid to this road, provides "That the said Union Pacific Railroad Company is hereby authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of the State of Iowa, to be fixed by the President of the United States, upon the most direct and practicable route, to be subject to his approval, so as to form a connexion with the lines of said company at some point on the one hundredth meridian of longitude aforesaid, from the point of commencement on the western boundary of the State of Iowa, upon the same terms and conditions, in all respects, as are contained in this act for the construction of the said railroad and telegraph first mentioned."

In pursuance of the above provision, this company, on the 19th October, 1864, filed in the Department of the Interior a map showing the location of the first one hundred miles of said road west of Omaha, which line or route was duly approved by the President of the United States. The work of grading between Omaha and the Elkhorn river (a distance of twenty-three miles) had been commenced early in the spring of 1864, and upwards of one hundred thousand dollars had been expended during that year upon that portion of the line which was abandoned by the action of the board of directors in making the change referred to in the minutes of the proceedings of the board.

The reasons for making the change in the location of the line are fully set forth in the report of the consulting engineer of the road, and in the communication of Mr. Jesse L. Williams, a civil engineer of large experience, and a government director of the road. By referring to the appendix to the consulting engineer's report, your excellency will also observe that the change was recommended by some of the most experienced and successful railroad managers in this country, not only as a matter of ultimate interest and economy to the railroad company, but as being most subservient to the interests of the government and the public.

The board of directors was entirely unanimous in adopting the change, and the government directors were particularly urgent in pressing the matter as one of great national importance. The Secretary of the Interior was also present during the discussion of the question in the board, and expressed himself as being decidedly favorable to the change, and informed the company that, in his opinion, the change would be approved unhesitatingly by the President of the United States.

Acting in good faith upon all these representations and assurances, and finding from actual surveys and estimates that the line or route recommended by the consulting engineer proved to be more favorable as to alignments, grades, and cost of construction than the data assumed in the report recommending the change, the company did not hesitate to abandon the work upon the old line, and to commence work upon the new one, and, up to the present time, there has been expended upon this line about two hundred and fifty thousand dollars.

The grading is now so far advanced that arrangements have been made for commencing the laying of the track at Omaha on the first day of June next, and to lay continuously from fifty to seventy-five miles of track during the present season.

Your excellency will observe that the section of the act of Congress hereinbefore quoted contains the only authority under which this company can construct a road between the western boundary of the State of Iowa and the one hundredth meridian of longitude; and, therefore, that unless your excellency shall approve the amended location herewith submitted the company will be obliged to suspend work upon the amended line at once, and resume the work upon the original line.

This will involve a delay of at least one year in the completion of the first one hundred miles of the Union Pacific railroad, and also compel the company, for all time, to encounter the damage and inconvenience of overcoming the high grades upon the original line.

The law of 1862, granting government aid to this company, specifies that "the grades and curves shall not exceed the maximum grades and curves of the Baltimore and Ohio railroad."

The maximum grades upon the Baltimore and Ohio railroad are one hundred and sixteen feet per mile, which, in practice, are found to be very objectionable. (See page 29, Appendix to Consulting Engineer's Report.) By adapting this maximum to the original location, (represented upon the map by the full red line,) the cost of construction would have been about the same per mile as upon the blue or amended line; but the company did not feel justified in resorting to these extreme grades on that line, although a saving of several hundred thousand dollars would have been effected thereby, and, for the same reasons, it does not feel justified in adhering to a maximum of eighty feet per mile, where a less maximum can be attained by a slight increase in distance.

Under all these circumstances, and in view of the fact that the company is now expending about twenty-five hundred dollars per day on the amended line, I trust that your excellency will pardon me for urging an early decision of this question.

I have the honor to remain your excellency's obedient servant,

JOHN A. DIX,

President Union Pacific Railroad Company.

The PRESIDENT of the United States.

Extracts from the minutes of the executive committee and the board of directors of this company.

EXECUTIVE COMMITTEE, January 3, 1865.

The vice-president submitted the following communication:

"GENTLEMEN: I beg to present for your consideration a report of the consulting engineer upon the policy of making a change in the location of a portion of the line between Omaha and the Platte valley. Also, a report upon the same subject from Mr. Williams, one of the government directors, in which the subject of high grades versus increased length of line is fully discussed.

"T. C. DURANT."

Mr. Davis offered the following resolution:

"Resolved, That the reports referred to in the communication be referred to the standing committee on location and construction, with instructions to report thereupon to the board, if in session, or otherwise to the executive committee;" which, on motion, was adopted.

MEETING OF BOARD OF DIRECTORS, *January 5, 1865.*

The committee on location and construction made the following report, which was adopted:

"NEW YORK, *January 5, 1865.*

"To the Board of Directors:

"Your committee on location and construction, to whom was referred the subject of a change of location between Stations 150 and 900, would respectfully report that they have examined the report of Colonel Seymour, our consulting engineer, and the letter of Mr. Williams, both of which papers, in our opinion, very ably discuss the entire question before us, and are unanimous in recommending the adoption of the new line to you, provided it shall not appear, on more full examination, that the amount already expended between the above-named stations, and the amount required to complete the grading and bridging on the same as compared with the cost of grading and bridging the new line, will justify the change. All of which is respectfully submitted.

"JOHN E. HENRY.

"J. L. WILLIAMS.

"GEO. T. M. DAVIS.

"J. T. TRACY.

"C. S. BUSHNELL."

MEETING OF THE BOARD, *April 6, 1865.*

The following resolution was adopted:

"*Resolved*, That the adoption of the new line, as recommended January 5, 1865, by the committee on location and construction, be, and is hereby, ratified by this board."

CHS. TUTTLE,

Secretary Union Pacific Railroad Company.

A true copy.

No. 2.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., May 19, 1865.

SIR: I have the honor to submit for your consideration and action the communication of Hon. John A. Dix, president of the Union Pacific Railroad Company, setting forth the considerations which render desirable an amended location of said railroad near Omaha.

The permanent location of said road for one hundred miles west of Omaha was approved by President Lincoln on the 4th day of November, 1864, in the exercise of the power conferred by the 14th section of the act of Congress approved July 1, 1862. (Statutes, vol. 12, p. 496.)

The new or amended location is shown by the blue line on the accompanying map, between the points designated "A" and "B". It is proposed to abandon so much of the location heretofore approved as lies between said points; it is delineated by the red line.

The map transmitted with General Dix's letter, "a report of the consulting engineer on the location between Omaha City and the Platte valley, dated December 21, 1864," and "a letter of J. L. Williams on the location between Omaha City and Platte valley, are herewith laid before you.

The new location lengthens the line of road some nine miles. It is represented that the land over which it passes is more generally level, and presents more favorable grades. The board of directors and the consulting engineer recommend the change.

All the papers emanate from the company and officers appointed by it, except the letter of Jesse L. Williams, esq., a director on the part of the United States. Mr. Williams is an engineer of acknowledged qualifications, and the highest respect is justly due to his opinion upon such a question. His opinions are, however, founded upon facts furnished by others, and a knowledge of the existing location. He has made no personal examination of the contemplated new location.

Conceding that when the location has been made and approved it is competent to substitute another by a subsequent order, I do not feel at liberty, under existing circumstances, to recommend that the requested change of location be approved by the President.

I respectfully suggest, should you be of opinion that you are not concluded by the approval of President Lincoln, that an experienced and skilful officer of the engineer corps be detailed to make examination of both routes, and to report fully upon their relative advantages.

You will then be in possession of such facts from a competent and disinterested source as will enable you to act advisedly in the premises.

I am, sir, with much respect, your obedient servant,

The PRESIDENT of the United States.

JAMES HARLAN,
Secretary of the Interior.

No. 3.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., May 20, 1865.

SIR: The President of the United States has received your communication of the 12th instant, together with the report, letter, and map therewith transmitted, in relation to a change of the location of a portion of the line of the Union Pacific railroad which the company requests him to approve.

I herewith enclose a copy of a letter of the 19th instant, addressed to the President by this department, expressive of its views on the subject.

The President is of opinion that he is empowered, at the request of the company, to approve the abandonment of the existing location and the adoption of the contemplated or new location, to the extent described in your communication and delineated on the map, accompanying the same. He, however, instructs me to say that he sanctions the views set forth in the enclosed letter, touching the propriety of his deferring action on the subject until a thorough examination of both locations shall have been made, and a report setting forth their relative advantages submitted to him.

The company, in view of the delay that must unavoidably occur, may prefer prosecuting the work on the present location, approved by President Lincoln on the 4th of November last.

Be pleased to inform me, at your earliest convenience, whether the board adheres to their request for a change, as in that event no time will be lost in detailing a person to make the examination.

I am, sir, very respectfully, your obedient servant,

JAMES HARLAN,
Secretary of the Interior.

Hon. JOHN A. DIX,
President Union Pacific Railroad, No. 13 William St., New York.

No. 4.

UNION PACIFIC RAILROAD COMPANY,
President's Office, 13 William Street, New York, May 23, 1865.

SIR: In reply to your communication of the 20th instant, I am instructed to state that the directors of the Union Pacific Railroad Company adhere to their request for a new location of the line of their road west from Omaha.

As was stated in my letter to the President of the 12th instant, and as was shown by the accompanying documents, the change was made by the directors as a matter of interest and economy to the railroad company, and also as subservient to the interests of the government. It had the unanimous approval of the board, including the government directors, and was supported by the opinions of some of the most eminent engineers in the country, and of your predecessor in office, who was present when the change was made.

The board not doubting, under these circumstances, that the amended location would be approved by the President, have gone on vigorously with the construction of the new line; six-sevenths of the grading have been completed, and all the arrangements are made to commence laying the track by the 10th of June at furthest, with the confident assurance of having from forty to fifty miles of road in running order by the 1st of August.

The company do not deem it advisable to recommence work now on the first location, as, in the opinion of the engineers, the line could not be run without great disadvantage to the road and the government, and serious inconvenience to the public; and if they were to abandon the line on which they are now working they could not complete the first one hundred miles of road within the time limited by the act of Congress. The directors, therefore, ask that the examinations you may deem necessary may be made as soon as possible. They are pressed from all quarters to hurry on the work, and they have made every effort to meet the public impatience. If the government should decide against the amended location, they will have no alternative but to cross the Missouri for the present at Bellvue, completing the old line hereafter, if the government insist on it, and in the meantime deferring to ask for government bonds on that portion of the road.

I have the honor to be, very respectfully, yours,

JOHN A. DIX, *President.*

Hon. JAMES HARLAN,
Secretary of the Interior.

No. 5.

"The honorable Secretary of War will please detail a competent engineer, in accordance with the recommendation of the Secretary of the Interior.

"ANDREW JOHNSON."

No. 6.

[Extract.]

WAR DEPARTMENT,
Washington City, June 3, 1865.

* * * * *

I have the honor to inform you that Lieutenant Colonel James H. Simpson was, at your request, directed by Special Orders, No. 268, a copy of which is hereto attached, to report to you for duty in connexion with the examination of the lines of the Union Pacific railroad west from Omaha, Nebraska Territory. The same officer will receive your instructions to perform the duty specified in your letter of May 29, or any other in connexion with the subject of the Pacific railroad that you may assign to him. Trusting that this designation will answer your purpose,

I am your obedient servant,

EDWIN M. STANTON,
*Secretary of War.*Hon. JAMES HARLAN,
Secretary of the Interior.

No. 7.

SPECIAL ORDERS, No. 268.

[Extract.]

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,
Washington, May 31, 1865.

* * * * *

94. Colonel W. E. Merrill, first veteran volunteer engineers, is hereby relieved from duty in the department of the Cumberland, and will report to the chief engineer of the army, to relieve Lieutenant Colonel James H. Simpson, corps of engineers, from his present duties at Cincinnati, Ohio.

Lieutenant Colonel Simpson, on being relieved, will report in person to the honorable Secretary of the Interior for duty in connexion with the examination of the lines of the Union Pacific railroad, west from Omaha, Nebraska Territory.

By order of the Secretary of War.

E. D. TOWNSEND,
Assistant Adjutant General.

No. 8.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 5, 1865.

SIR: The Secretary of War having, by direction of the President of the United States, detailed Lieutenant Colonel James H. Simpson, of the engineer corps, to inspect and examine the present location and the contemplated new location of the Union Pacific railroad, near Omaha, Nebraska Territory, I have to request that you will, in order to enable me to give the proper instructions to Colonel Simpson, forward to me, at your earliest convenience, maps and diagrams showing the actual location of the approved line and of the proposed line, and such other information as may be useful in preparing said instructions.

I am, sir, very respectfully, your obedient servant,

JAMES HARLAN,
*Secretary of the Interior.*Hon. JOHN A. DIX,
President Union Pacific Railroad Company, 13 William street, New York city.

No. 9.

UNION PACIFIC RAILROAD COMPANY,
President's Office, 13 William street, New York, June 7, 1865.

SIR: I have to acknowledge the receipt of your letter of the 5th instant, to the president of this company, requesting maps and diagrams, and, in accordance therewith, send a map indicating by a red line the location as first made and approved, and by a blue line the route proposed, for which the approval of the President is asked.

The case is fully presented in the letter of General Dix to the President accompanying the application, the report of the consulting engineer, and the letter of J. L. Williams, esq., government director, both of which reports are enclosed herewith.

The field-books, minutes of survey, profiles, and all details relative to the lines, are at the office of the company at Omaha. Instructions will be forwarded at once to J. E. Henry, esq., chairman of committee on location and construction, and D. H. Ainsworth, engineer in charge at Omaha, to furnish Lieutenant Colonel J. H. Simpson, of the engineer corps, or any other party whom you may wish to send west, a copy of maps, profiles, and all information relative to said lines, giving them access to all books, papers or memorandums relative thereto, and to afford every facility in their power to enable Colonel Simpson fully to investigate all the facts upon which the said change of line is based.

Presuming Colonel Simpson's instructions are to make such examinations as will satisfy the President and the honorable Secretary that the representations of the company are correct, and the facts upon which the change of line has been made actually exist, and that it is not intended that he should open the question of the eastern terminus of the road, the company have given no instructions relative to furnishing data upon that point, but will do so at once if it is your pleasure.

The consulting engineer will accompany Colonel Simpson, or meet him at Omaha, upon a suggestion from the department that it is desirable for him to do so.

Thanking you for the prompt manner in which this emergency has been met, and fully convinced that it is your desire to avoid all unnecessary delay,

I am, sir, yours most respectfully,

THOS. C. DURANT,
Vice-President.

HON. JAS. HARLAN,
Secretary of the Interior.

No. 10.

UNION PACIFIC RAILROAD.

Report of the consulting engineer on the location between Omaha City and the Platte valley.

OFFICE OF THE UNION PACIFIC RAILROAD COMPANY,
Engineer Department, 13 William street, New York, December 21, 1864.

SIR: Inasmuch as I have recommended a change in the location of a portion of the line of the Union Pacific railroad, between Omaha City, the point on the Missouri river fixed by the President of the United States for its eastern terminus, and the Platte valley, at the crossing of the Elkhorn river, a point about twenty-three miles, by the present line, west of Omaha; and as you have already directed the necessary surveys to be made, with a view to adopting the proposed change, I deem it proper, both on my own account and for the vindication of the railroad company, in case the proposed change in the location is finally adopted, to place in your hands some of the reasons which, after mature deliberation, have induced me to make the recommendation.

In order to a full understanding of the subject, it will be necessary, in the first place, to state some of the leading characteristics of the present line, as compared with the one proposed as a substitute. These will consist in: 1st. Location and length of lines; 2d. Maximum grades; and, 3d. Cost of construction.

1st.—Location and length of lines.

The proposed new line will leave the present location, at Station No. 150 from Omaha, which is at the head of the first grade, ascending westerly; from thence it is proposed to diverge southerly, and follow down the valley of Mud creek to its intersection with the valley of the Pappillon river, and then follow up the valley of the Pappillon to an intersection with the present line, at or near Station No. 900. It will then follow the present line, with modified grades, to Station No. 1069, when it will diverge either to the north or south, and follow down the slope of the bluffs to the valley of the Elkhorn river, and an intersection with the present route, on such a line as will be best adapted to the maximum grade ascending easterly, that may be adopted for the line between the Elkhorn and Omaha, or the grade may be changed from 79.2 to 40 feet upon the present location.

On account of the uncertainty respecting the proper location of this short portion of the line, the change in grade will be assumed, and the discussion confined to that portion of the route between Stations Nos. 150 and 900.

The accompanying sketch will serve to illustrate the changes above referred to.*

* A copy of the sketch referred to has been omitted in this report, as a more detailed map accompanies it.

As there are no surveys on file in this office of the line down the valley of Mud creek, it is impossible to ascertain with precision the exact length of this route; but, from the best data at hand, it is supposed to be nine miles longer than the present located line.

2d.—Maximum grades.

The following tables of grades, prepared from the profile of the present located line, from Station No. 0, at Omaha, to Station No. 1109, near the Elkhorn, will show the maximum grades in both directions, and the total rise and fall upon the present located line:

Table of grades from Omaha to Elkhorn river, on the present located line.

Station.	Elevation of grade.	Length of grade in feet.	Ascending.	Descending.	Inclination per mile.	Station.	Elevation of grade.	Length of grade in feet.	Ascending.	Descending.	Inclination per mile.
0	16,000					740	238,000	2,000	5,000		13.20
75	102,250	7,500	86.250		60.70	766.50	270,000	2,650	32,000		63.76
150	196,000	7,500	93.750		66.00	780	270,000	1,350	Level.	Level.	
160	196,000	1,000	Level.	Level.		850	165,000	7,000		105,000	79.20
174	178,000	1,400	Level.	18,000	67.70	852	165,000	200	Level.	Level.	
177	178,000	300	Level.	Level.		865	180,600	1,300	15,600		63.36
218	223,000	4,100	45,000		57.90	868	180,600	300	Level.	Level.	
222	223,000	400	Level.	Level.		891	157,600	2,300		23,000	52.80
327	65,000	10,500	158,000	79.45		905	157,600	1,400	Level.	Level.	
332	65,000	500	Level.	Level.		922	178,000	1,700	20,400		63.36
348	57,000	1,600	8,000	26.40		923	178,000	100	Level.	Level.	
351	57,000	300	Level.	Level.		933	168,000	1,000		10,000	52.80
361	65,300	1,000	8,300	43.80		940	168,000	700	Level.	Level.	
364	65,300	1,300	Level.	Level.		948	170,000	800	2,000		13.20
378	48,500	1,400	16,800	63.36		963	188,000	1,500	18,000		63.36
405	48,500	Level.	Level.			966	188,000	300	Level.	Level.	
416	56,200	1,100	7,700	36.96		976	180,000	1,000		8,000	42.24
426	56,200	1,000	Level.	Level.		983	180,000	700	Level.	Level.	
446	68,000	2,000	1,800	47.52		993	186,000	1,000	6,000		31.68
456	68,000	1,000	5,000	26.44	1,009	200,000	1,600	14,000			46.20
483	83,000	2,700	Level.	Level.		1,013	200,000	400	Level.	Level.	
514	82,000	3,100	19,000	32.36	1,020	198,000	200		2,000		15.08
530	88,400	1,600	6,400	21.12	1,022	198,000	800	Level.	Level.		
606	179,400	7,600	91,200	63.36	1,032	205,000	1,000	7,000		36.96	
646	229,600	4,300	50,000	66.00	1,042	205,000	1,000	Level.	Level.		
649	229,600	Level.	Level.		1,062	223,000	2,000	18,000		47.52	
670	263,600	2,100	26,000	65.37	1,069	223,000	700	Level.	Level.		
675	263,600	Level.	Level.		1,109	163,000	4,000		60,000		79.20
720	233,000	4,500	29,400	34.50							
									581,800	434,800	

This table shows that from Station No. 150 to Station No. 1109 the maximum grades ascending easterly are between seventy-nine and eighty feet per mile; and the maximum grades ascending westerly are sixty-six feet per mile. The total rise and fall between Stations 0 and 1109 is 1,016 $\frac{4}{5}$ feet.

The maximum grade ascending westerly between Station No. 0 and Station No. 150 (the proposed point of divergence) is also sixty-six feet per mile. This portion of the line is now nearly graded, and it is, therefore, not proposed to change it at present, but it is assumed that it will be changed hereafter, to correspond with the maximum grade that may be adopted in ascending the valley of the Pappillon. This question is, therefore, reserved for future consideration. With a view, however, to such a future change, it is recommended that, for the present, as little money as practicable be expended in grading in the valley of Mud creek, between Station No. 150 and the point where a line with moderate grades in both directions would naturally leave this valley to enter the valley of the Missouri river.

In the absence of any profile of the proposed line down the valley of Mud creek, it will be necessary to assume certain ruling grades in both directions that will be likely to come within the facts when ascertained. From an examination of the profile of an experimental line through the Pappillon valley, and the study given to the subject, I shall, for the purposes of this report, assume that the maximum grades upon the proposed new line, if judiciously located, will not exceed forty feet per mile in both directions.

3d.—Cost of construction.

The estimated cost of grading, masonry, and bridging of sections 3, 4, 5, 6, 7, 8, and 9 is \$517,205; by adding one-half of section No. 2 (west of Station No. 150) the amount would be \$538,490. The sections average one hundred stations each, making the distance covered by the above estimate fourteen and two-tenths miles. This gives an average per mile of

about \$38,000 for the present line. It is believed that the character of the profile of the new line, from Station No. 150 to Station No. 900, will be about the same as the succeeding section No. 10, of the present line. This section is estimated to cost \$11,980, or about \$6,000 per mile. We will, however, call it, with the proposed limit to the grades, \$10,000 per mile.

Then we have:

14.2 miles of present line, costing	\$538, 490
23.2 miles of proposed line, costing	232, 000
Difference of foregoing items in favor of new line	306, 490
Deduct nine miles of superstructure, at \$18,000 per mile	162, 000
Making difference in cost of construction between Station 150 and Station 900.	144, 490

This fact, however, has very little to do with the real proposition under discussion. It is merely stated in this place for the purpose of showing that the company, in adopting the present location, and paying a comparatively large amount for *high grades*, has reversed the rule generally recommended by engineers and adopted by railroad companies, of paying comparatively large amounts for *low grades*.

As the above difference may hereafter be appropriated to reducing the first heavy grade west of Omaha, and as a considerable amount has already been expended on the present line between Station 150 and Station 900, the aggregate cost of construction will be assumed as equal upon both lines.

The general characteristics of the two lines may therefore be briefly stated as follows:

1. The present line affected by the change is twenty-three miles in length, and has ruling grades of eighty feet per mile, ascending easterly, and sixty-six feet per mile, ascending westerly.

2. The proposed new line is nine miles longer than the above, and will have ruling grades of forty feet per mile in both directions. The total amount and minimum radius of curvature are assumed to be the same on each line.

The question to be decided is, with a due regard to all the interests concerned, which of these lines should the company adopt?

This question necessarily involves the discussion of the value of high grades between fixed points, and a given distance, as compared with low grades between the same points, with increased distance; or, in other words, to what extent should a line of railroad, with a given or assumed traffic, be lengthened, in order to avoid certain or assumed objectionable grades.

In discussing this question I will assume the following data:

Weight of engine, 30 tons, or	60,000 lbs.
Weight of tender, fuel, and water	40,000 lbs.
Weight of car, 7 tons, or	14,000 lbs.
Weight of car load, 10 tons, or	20,000 lbs.
Friction of engine, 10 lbs. per ton, 300 lbs. }	
Friction of tender, 6 lbs. per ton, 120 lbs. }	420 lbs.
Friction of car, 6 lbs. per ton	102 lbs.
Gravity of engine and tender for 10 feet inclination	189 lbs.
Gravity of car and load for 10 feet inclination	64.7 lbs.
Weight on driving wheels of engine, 20 tons, or	40,000 lbs.
Adhesion, 25 per cent., making tractive force of engine	10,000 lbs.

This adhesion will be worked out by an effective pressure of 97½ lbs. per square inch, with cylinders sixteen inches diameter and twenty-four inches stroke, and with drivers five feet in diameter.

The maximum number of cars, loaded as assumed above, which this engine will move upon a level and ascending grades, will be as follows:

On a level	94 cars.
On a grade ascending 10 feet per mile	56 cars.
On a grade ascending 20 feet per mile	40 cars.
On a grade ascending 30 feet per mile	30½ cars.
On a grade ascending 40 feet per mile	25 cars.
On a grade ascending 50 feet per mile	20½ cars.
On a grade ascending 60 feet per mile	17 cars.
On a grade ascending 66 feet per mile	16 cars.
On a grade ascending 70 feet per mile	15 cars.
On a grade ascending 80 feet per mile	13 cars.
On a grade ascending 90 feet per mile	11½ cars.
On a grade ascending 100 feet per mile	10 cars.

The actual working expenses of the train will be very nearly the same per mile in each case, as the engine always works up to its full power.

The cost of transportation, exclusive of repairs to roadway, taxes, interest on outlay, &c., has been ascertained to be about sixty-two and one-half cents per mile run; we will call it sixty cents.

Assume that an engine brings down the Platte valley to the Elkhorn, over grades either level or descending in an easterly direction for several hundred miles, a train of ninety-four loaded cars. To transport this train from the Elkhorn to Omaha, a distance of twenty-three miles, over grades of eighty feet per mile, the same engine could take only thirteen of these cars, and without regard to return freight; it would therefore be obliged to traverse the road seven times with a load and return six times without a load, or a distance of two hundred and ninety-nine miles, in order to transfer the same number of cars from the Elkhorn to Omaha.

Upon this extreme supposition, and not taking into account the transportation of return freight, or the cost and maintenance of roadway, buildings, &c., a road of two hundred and ninety-nine miles in length, with level grades, would be as useful for transportation purposes, with a given amount of tonnage in one direction, as one twenty-three miles in length, with eighty feet grades, for the reason that it would cost the same to move a given amount of freight over one as the other.

It has been shown that the same engine will haul about twice the number of loaded cars over a forty-foot grade than it will over an eighty-foot grade.

The above mode of reasoning shows that an engine will be obliged to traverse the present line three times in order to transport a given amount of tonnage from the Elkhorn to Omaha, over grades of eighty feet per mile, when, with a grade of forty feet per mile, she would only be obliged to traverse it once, thus making an additional distance of forty-six miles, or an additional expense of \$27 60, chargeable to every train of twenty-five cars; and showing that, other things being equal and without regard to return freight, the company can always do the same amount of business as cheaply over a line sixty-nine miles in length, with ruling grades of forty feet per mile, as over a line twenty-three miles in length, with ruling grades of eighty feet per mile.

It has been stated that an engine that hauls twenty-five loaded cars over an ascending grade of forty feet per mile, will haul only sixteen cars over a grade ascending sixty-six feet per mile. Inasmuch, therefore, as the preponderance of tonnage over this road will probably be in a westerly direction, it may be proper to assume that the engine would be furnished with a load for every return trip, and therefore that, as a general rule, the distance actually travelled by the engine, and chargeable to transporting a given amount of freight over the maximum grades of sixty-six and eighty feet per mile, will be only twice the distance chargeable to hauling the same tonnage over a maximum grade of forty feet per mile.

Upon this assumption, therefore, which it must be admitted is a very favorable one for the high maximum grades, the company would be justified in adding one hundred per cent. to the length of this portion of the road in order to secure a maximum of forty, instead of sixty-six and eighty feet grades per mile. This conclusion is based upon the supposition that the cost of construction per mile will be the same for each line, and that the tariff for freight and passengers will be the same per mile run in each case.

When, in addition to the above, it is taken into account that in all probability the proposed line may be completed from six to twelve months earlier than the present one, and that the most experienced railroad managers in the country agree in recommending the reduction of grades by an increase both in cost of construction and distance, and that many railroad companies have already expended large amounts to accomplish this result,* the argument in favor of the change, in my opinion, becomes conclusive.

The discussion might be continued almost indefinitely, by assuming that future competing lines may compel a departure from the rule of fixing tariffs at certain rates per mile, and that, consequently, the cost per mile of maintenance of way, &c., should be taken into the account; but this contingency seems almost too remote to deserve present notice; and even were it now assumed and embodied in the argument, it is believed that it would strengthen the conclusions at which we have already arrived.

The additional wear and tear to superstructure and machinery, chargeable to high grades, together with the increased liability to accidents and delay from dividing and making up trains, would also come legitimately within the limits of the discussion, and add greatly to the force of the argument; but it is believed that enough has already been said to enable you to arrive at correct conclusions, not only with reference to the location of the line in question, but as to the general principles that should govern the location of other portions of your road.

The Union Pacific railroad is to be a great national thoroughfare for all time. The government has endowed it most liberally. The people, both on the Atlantic and Pacific slopes of the continent, are anxiously waiting for its construction. The amount of its business will be limited only by its capacity; and it therefore seems of the greatest importance that all the facilities afforded by nature should be taken advantage of, both in the location and construc-

tion of the road, and that no mistake be made that will be calculated to impair its future usefulness, or disappoint the just expectations of the government, the stockholders, or the public.

I have the honor to be, very respectfully, your obedient servant,
 SILAS SEYMOUR, *Consulting Engineer.*

THOMAS C. DURANT, Esq.,
Vice-President Union Pacific Railroad Company.

Appendix containing opinions of railroad managers, experiences of railroad companies, and experiments upon railroads, in justification of the conclusions arrived at in the foregoing report.

The following letter was addressed to some of the most successful and experienced managers of railroads in this country :

"UNION PACIFIC RAILROAD COMPANY ENGINEER DEPARTMENT,
 "13 William street New York, December 24, 1864.

"DEAR SIR: I am requested by Mr. T. C. Durant, the vice-president and acting manager of the Union Pacific railroad, to ask your opinion upon the following proposition:

"The eastern terminus of the Union Pacific railroad has been fixed by the President of the United States at Omaha City, Nebraska Territory. There is a choice of routes between Omaha and the point where the line reaches the valley of the Platte river. One of these routes is twenty-three miles in length, with maximum grades ascending westerly of sixty-six feet per mile, and ascending easterly of seventy-nine and one-half feet per mile.

"The other route is assumed to be thirty-two miles in length, with maximum grades in both directions of forty feet per mile, and will cost three hundred thousand dollars less to prepare it for the superstructure than the first-named route.

"The line through the Platte valley, for a distance of several hundred miles west of where the line enters it at the point above mentioned, will be characterized by grades not exceeding ten feet per mile ascending westerly, and by grades either level or descending in an easterly direction.

"The question upon which your opinion, as a practical and experienced manager of railroads, is solicited is, whether it will be good policy for the company, and for the best interests of the government and the public, to increase the length of the eastern portion of the road nine miles, in order to attain the difference in maximum grades as above specified.

"Very respectfully, your obedient servant,

"S. SEYMOUR,
 "Consulting Engineer U. P. R. R."

To which the following replies have been received:

"WAR DEPARTMENT, OFFICE OF DIRECTOR AND GENERAL
 MANAGER OF MILITARY RAILROADS UNITED STATES,
 Washington, December 27, 1864.

"DEAR SIR: Your communication of the 24th instant relating to the Union Pacific railroad is received. You request my opinion in regard to the adoption of one of two routes between Omaha City and the point where the line reaches the Platte river—one of these routes being twenty-three (23) miles in length, with maximum grades of sixty-six (66) feet per mile, ascending westerly, and seventy-nine and one-half (79½) feet per mile, ascending easterly. The other route is stated to be thirty-two (32) miles in length, with maximum grades in both directions of forty (40) feet per mile.

"In answer, I would state that, upon a close examination and comparison as between length of lines and grades of the same, I am clearly of the opinion that the adoption of the longest line, with ruling grades of forty (40) feet per mile, will best subserve the interests of the government, the public, and the railroad company; the question being considered regardless of any difference there may be in the cost of the construction of either line, and independent of any subsidy from the government.

"I am, very respectfully, your obedient servant,

"D. C. McCALLUM,

"Brevet Brig. General, Director and General Manager M. R. R. U. S.
 "Colonel SILAS SEYMOUR,
 "Consulting Engineer U. P. R. R."

"NEW YORK CENTRAL RAILROAD,
General Superintendent's Office, Albany, December 29, 1864

"DEAR SIR: I am in receipt of yours of the 24th instant, requesting my opinion in regard to one of two lines to be adopted for the location of the Union Pacific railroad between Omaha City and a point where the line reaches the Platte river; one of said routes being twenty-three (23) miles in length, with maximum grades ascending westerly of sixty-six (66) feet per mile, and ascending easterly seventy-nine and one-half (79½) feet per mile. The other is assumed to be thirty-two (32) miles in length, with maximum grades in both directions of forty (40) feet per mile.

"In reply, I beg to say I have no doubt, assuming the curvatures of the two lines to be about the same, that the longest line, with grades of forty feet per mile, is clearly the one to be adopted, both for the interest of the company and the public.

"Yours very truly,

"C. VIBBARD,
General Superintendent N. Y. Central R. R.

"Colonel SILAS SEYMOUR,
Consulting Engineer U. P. R. R. Co., New York."

"NEW YORK, December 28, 1864.

"DEAR SIR: In reply to yours of the 24th instant, just received, I can only answer briefly, that it will, in my opinion, be sound policy to increase the length of line in the case stated, especially if the high grades are of considerable extent, either in length or number, and if, in so doing, the curvature be not very materially increased.

"The portion of the line in question will, it is true, be extended about thirty-nine (39) per cent.; but it is, comparatively, a very small part of the whole road. The interest on the difference of cost, including that of the superstructure, will pay the extra running expenses of three trains each way daily on the longer line; while it may be worked easier with its forty (40) feet grades than the shorter line with its sixty-six (66) and seventy-nine and a half (79½) feet grades.

"The highest ascending grade upon any section or division of the road will fix a limit to the load that can be hauled *continuously* over that division; and any separation of trains into parts, for the purpose of overcoming the elevations, will invariably be attended with vexatious delays, and often with positive danger. For every one hundred (100) tons that can be hauled up a forty (40) feet grade, only sixty-five (65) tons can be hauled up a sixty-six (66) feet grade, and but fifty-four (54) tons can be hauled up a seventy-nine and a half (79½) feet grade. Practically, for heavy freight trains, a road twenty-three (23) miles long, ruled by grades of seventy-nine and a half (79½) feet, will be equivalent to a road of forty-three (43) miles long, ruled by grades of forty (40) feet. So, also, a road twenty-three (23) miles long, ruled by grades of sixty-six (66) feet, will be equivalent to a road thirty-five and a half (35½) miles long, ruled by forty (40) feet grades.

"Light trains, say a locomotive and tender, one baggage, one mail and four passenger cars, with their loads, will be able to ascend any of these grades, but with varying speed. The resistance on the sixty-six (66) feet grades will be about forty-five (45) per cent. greater than on the forty (40) feet grades, and the resistance on seventy-nine and a half (79½) feet grades will be about sixty-eight (68) per cent. more than on the forty (40) feet grades.

"Without going into any nice calculations, and neglecting atmospheric resistance, it may be assumed that any train that can just make a speed of twenty (20) miles per hour on a forty (40) feet grade will have that speed reduced to fourteen (14) miles per hour on sixty-six (66) feet grades, and to twelve (12) miles per hour on seventy-nine and a half (79½) feet grades. As regards speed, then, a road twenty-three (23) miles long, of seventy-nine and a half (79½) feet grades, will be equivalent to a road thirty-eight (38) miles long, of forty (40) feet grades; and a road twenty-three (23) miles long, of sixty-six (66) feet grades, will be equivalent to a road thirty-three (33) miles long, of forty (40) feet grades; and so in proportion as the lengths of these grades are to the actual length of road.

"I am of the opinion that, where the locomotive is well proportioned for working out its whole adhesion, it is unsafe for a train to descend a heavy grade at much greater speed than it will ascend the same grade, and, as a rule, that speed lost on heavy up-grades should not be regained on similar down-grades.

"On roads having a light traffic, the effects of heavy grades are not of a very formidable nature; but on a road of national importance, designed as a great thoroughfare of travel, and for the transit of immense quantities of goods and produce, it will be found, at no very distant day, that grades of eighty (80) feet, and even of sixty-six (66) feet per mile, are quite serious obstacles.

"Respectfully yours, &c.,

"S. S. POST, *Civil Engineer.*

"SILAS SEYMOUR, Esq.,
Consulting Engineer U. P. R. R."

"MASTER OF TRANSPORTATION'S OFFICE,
 "BALTIMORE AND OHIO RAILROAD COMPANY,
 "Baltimore, January 2, 1865.

"SIR: Your letter of the 24th December, relative to the proposed routes of your road for a short distance west of Omaha, was duly received.

"It does not need much consideration at my hands, with the special experience of our company regarding the relative advantages of level lines as against heavy grades, to enable me to promptly answer your question.

"I advise, unhesitatingly, that it is 'unquestionably good policy for the company and for the best interests of the government and the public to increase the length of the eastern portion of the road nine (9) miles, in order to attain the difference in maximum grades, as specified.

"I might cite, in illustration, the fact that, between Piedmont and Grafton, on our road, we have a series of grades ranging from 90 to 116 feet to the mile, the distance being 72 miles.

"From Piedmont to Martinsburg, eastwardly, the distance is 106 miles, but there is no grade exceeding 50 feet, and yet the latter-named division, though of one-third greater length, is worked at far less cost in every respect than the division embracing the heavy grades first named.

"Between Piedmont and Martinsburg an engine carries with facility from 25 to 30 loaded cars, while between Piedmont and Grafton the load is from eight to nine cars only.

"This illustration is not minutely applicable to your case, but serves in a general way to sustain the position I have assumed in this letter.

"In the case stated by you, with the circumstances named, it is very clear in my mind that the longer lines and lower grades should be adopted.

"Very respectfully, your obedient servant,

"W. P. SMITH, Master of Transportation.

"S. SEYMOUR, Esq.,
 Engineer Union Pacific Railroad Company,
 No. 13 William street, New York city.

—
Extract from the report of D. C. McCallum, Esq., General Superintendent of the New York and Erie railroad, dated March 25, 1866.

EXPERIMENTS FOR DETERMINING EFFECT OF GRADES AND CURVATURE.

Experiments were made in September last, with the view of determining the relative power required upon the several divisions of the road for the transportation of heavy freight, by ascertaining the maximum load any given engine can haul over those portions of each division which limit the load.

For this purpose a single locomotive engine was run the entire distance from Dunkirk to Piermont, with trains varying to suit the ruling grades of the respective divisions. As these experiments were not intended to set at rest questions of a purely scientific character, the accuracy necessary to that end was not observed. It is believed, however, that they have been made with sufficient care to determine the practical objects more immediately in view, and show the capacity of the road and its machinery to be adequate to the movement of an immense tonnage, and at a less cost per ton for a large traffic than can be attained on any road of less gauge, and of equal grades and curvature.

The engine selected for this purpose was of the following proportions: Total weight, 66,050 pounds; weight on driving-wheels, 40,050 pounds; cylinders, 17 inches diameter; length of stroke, 24 inches; driving-wheels, five feet diameter; maximum pressure of steam on cylinders without slipping the wheels, 140 pounds; or, deducting the atmospheric pressure, 125 $\frac{1}{2}$ pounds effective pressure per square inch.

The traction of the engine, that is, its power applied at the circumference of the wheels, and by which it is impelled, neglecting its friction, may be stated thus:

$$\frac{125\frac{1}{2} \times 17 \times 17 \times 24}{60} = 14,485 \text{ pounds.}$$

This is the total resistance, consisting principally of the friction of the engine and tender of the cars, the gravity of the train on ascending grades, and the resistance of curves which this engine, under an effective pressure of 125 $\frac{1}{2}$ pounds per square inch upon its pistons, can overcome.

The engine and tender were moved with slightly accelerated motion, on a level, under an effective pressure of 3 pounds. Their friction, therefore, without any load attached, is

$$\frac{17 \times 17 \times 24}{60} = 347 \text{ lbs.}$$

It has been customary to estimate the friction of cars, with wheels of 30 inches and journals of 3 inches diameter, at about 7 lbs. per ton; or, 8 lbs. per ton for wheels 33 inches and

journals $3\frac{1}{2}$ inches diameter—the dimensions of those in use on this road; but the experiments made show conclusively that the friction of the loaded cars did not exceed $4\frac{1}{4}$ to 5 lbs. per ton.

It has also been usual to estimate the additional friction of the engine, in consequence of its load, at one pound per ton of its load on a level. This item will, of course, be reduced as the friction of the cars is reduced.

After a careful examination and comparison of the loads moved upon the ruling grades and curves of various sections of the road, it is assumed that the friction of the cars is $4\frac{1}{4}$ lbs. per ton of 2,000 lbs.; the resistance of curves $\frac{1}{2}$ lb. per ton per degree of curvature per 100 feet; and the additional friction of the engine $\frac{1}{2}$ lb. per ton of load on a level and straight line, or its equivalent.

The weight of the engine on its drivers being 40,050 lbs., and the traction 14,485 lbs., the adhesion was, therefore, $\frac{40,050}{14,485} = 2\frac{7}{10}$, or not less than 36 per cent. of the insistant weight. This has heretofore been variously estimated at from $12\frac{1}{4}$ to 25 per cent.

The tender, with its complement of wood and water, weighed 40,240 pounds.

A train, consisting of 100 loaded cars, weighed 3,423,150 lbs., making the total weight of engine, tender, and cars, 3,529,440 lbs., or 1,765 tons, very nearly, was taken over a mile of road, on an ascent of 6.14 feet, and a curve of 1° , or 5,730 feet radius, in $11\frac{1}{4}$ minutes. The preceding mile being on an uniform grade of 6 feet, ascending also, no advantage could have been taken of momentum previously acquired by the train.

The resistances overcome in this case are estimated as follows:

	Lbs.
Friction of engine and tender.....	347
Friction of cars, $1,711\frac{5}{100}$ tons, at $4\frac{1}{4}$ lbs.....	7,702
Gravity of engine and train, $\frac{3,529,440 \times 6.14}{5,280}$	4,104
Resistance of curve, $1,765 \times \frac{1}{2}$ lb.....	882
Additional friction, $\frac{1}{2}$, $\left(\frac{4,104 + 882}{4\frac{1}{4}} + 1,711\frac{5}{100} \right)$	1,410
Total resistance.....	14,445

or 40 lbs. less than the estimated traction.

A train of 22 cars, weighing 753,082 lbs., or $376\frac{5}{100}$ tons, and with engine and tender weighing 859,372 lbs., or $429\frac{5}{100}$ tons, was taken up a mile of $60\frac{1}{2}$ feet ascending grade, through a curve of 5° , or 1,146 feet radius, in $6\frac{1}{4}$ minutes.

	Lbs.
Friction of engine and tender.....	347
Friction of cars, $376\frac{1}{2}$ tons, at $4\frac{1}{4}$ lbs.....	1,694
Gravity of engine and train, $\frac{859,372 \times 60.5}{5,280}$	9,847
Resistance of curve, $429\frac{5}{100} \times 2\frac{1}{2}$	1,074
Additional friction, $\frac{1}{2}$, $\left(\frac{9,847 + 1,074}{4\frac{1}{4}} + 376\frac{1}{2} \right)$	1,401

Total resistance..... 14,363
or 122 lbs. less than the maximum traction or power of the engine under an effective steam pressure of $125\frac{1}{2}$ lbs. per square inch.

On a mile of 52 feet ascending grade and a curve of 5° per 100 feet, or 1,146 feet radius, a train of 25 loaded cars, weighing 870,250 lbs., or $435\frac{1}{4}$ tons, and with engine and tender, 976,540 lbs., or $488\frac{1}{100}$ tons, was taken up in 9 minutes.

	Lbs.
Friction of engine and tender.....	347
Friction of cars, $435\frac{1}{4}$, at $4\frac{1}{4}$ lbs.....	1,958
Gravity of engine and train, $\frac{976,540 \times 52}{5,280}$	9,618
Resistance of curve, $488\frac{1}{100} \times 2\frac{1}{2}$	1,220
Additional friction, $\frac{1}{2}$, $\left(\frac{9,618 + 1,220}{4\frac{1}{4}} + 435\frac{1}{4} \right)$	1,422

Total..... 14,565
being an overestimate of resistances, or an underestimate of traction of 80 lbs.

On a mile of 60 feet ascending grade, through 2,900 feet of curve $3\frac{1}{4}^\circ$, or 1,637 feet radius, a train of 23 loaded cars, weighing 800,330 lbs., or $400\frac{1}{100}$ tons, and including engine and tender, a total weight of 906,620 lbs., or $453\frac{3}{100}$ tons, was taken up in 5 minutes.

	Lbs.
Friction of engine and tender	347
Friction of cars, 400 $\frac{1}{2}$ tons, at 4 $\frac{1}{2}$ lbs.	1 800
Gravity of engine and train, $\frac{906,620 \times 60}{5,280}$	10,302
Resistance of curve, 453 $\frac{11}{100}$ $\times 1\frac{1}{2}$	793
Additional friction, $\frac{1}{4}$, $\left(\frac{10,302+793}{4\frac{1}{2}} + 400 \right)$	1,433
Total	14,675

or 190 lbs. overestimate of resistance.

A train of 24 cars, weighing 821,544 lbs., or 410 $\frac{773}{1000}$ tons, total weight, including engine, 927,834 lbs., or 463 $\frac{417}{1000}$ tons, was taken up a mile of 60 feet grade, without curvature, in 5 $\frac{1}{2}$ minutes.

	Lbs.
Friction of engine and tender	347
Friction of cars, 410 $\frac{773}{1000}$ $\times 4\frac{1}{2}$	1,848
Gravity, $\frac{927,834 \times 60}{5,280}$	10,543
Additional friction, $\frac{1}{4}$, $\left(\frac{10,543}{4\frac{1}{2}} + 410\frac{773}{1000} \right)$	1,377
Total	14,675

Resistance less than traction, 370 lbs.

The same train was taken the next mile on a grade of 58 feet, through a curve of 34 $^{\circ}$ per 100 feet, for 1,500 feet, in 8 $\frac{1}{2}$ minutes.

	Lbs.
Friction of engine and tender	347
Friction of cars, 410 $\frac{773}{1000}$ $\times 4\frac{1}{2}$	1,848
Gravity, $\frac{927,834 \times 58}{5,280}$	10,192
Resistance of curve, 463 $\frac{417}{1000}$ $\times 1\frac{1}{2}$	812
Additional friction, $\frac{1}{4}$, $\left(\frac{10,192+812}{4\frac{1}{2}} + 410\frac{773}{1000} \right)$	1,428
Total	14,627

or overestimate of resistances of 142 lbs.

The average of these six experiments shows an estimated resistance of 14,465 lbs., or 20 lbs. less than the traction or computed maximum power of the engine, with the steam gauge indicating 140 lbs. pressure.

The ultimate power of a well proportioned engine may be most easily and correctly determined from the weight on its driving-wheels. From the experiments made we are able to deduce practical rules for ascertaining the gross weight of cars and useful load which an engine should take behind its tender.

The preponderance of trade on this road being eastward, it is desirable to know the maximum load any given engine can haul in that direction, upon the grades and curves which limit the road upon each division, and is very nearly as follows:

NUMBER OF TONS OF CARS AND LOAD FOR EACH TON OF WEIGHT ON DRIVING-WHEELS.

	Tons.
Western division.....Dunkirk to Hornellsville	28
Susquehanna division	80
Delaware division.....Susquehanna to Deposit	18 $\frac{1}{2}$
Do. do.....Deposit to Port Jervis.....	85
Eastern division.....Port Jervis to Suffern	60
Do. do.....Suffern to Piermont.....	20 $\frac{1}{2}$

NOTE.—The ruling grades ascending easterly on the above portions of road are as follows:

Dunkirk to Hornellsville.....	40 feet.
Hornellsville to Susquehanna	5 "
Susquehanna to Deposit	61 "
Deposit to Port Jervis	Level.
Port Jervis to Suffern	61 feet.
Suffern to Piermont	57 "

NOTE.—A memorandum in relation to the location and construction of the western division of the New York and Erie railroad has been omitted in printing this report from its great length and its not having an important bearing on the argument.

No. 11.

Letter of J. L. Williams on the location between Omaha City and Platte valley.

NEW YORK, January 2, 1865.

SIR: The consulting engineer, Colonel Seymour, having submitted a report, dated 21st December, recommending a change of location, west from Omaha, I have prepared, at your request, and now submit, the following statement of the question, in its engineering and commercial aspects, based mainly upon a personal examination of the present location, made in October last, in company with Colonel Seymour, Mr. Henry, and Mr. Dey, the engineer in charge.

The facts bearing upon the question may be stated as follows:

1st. The way traffic eastward from the mountains will consist chiefly of the product of the mines, most of which will be of little weight in proportion to value. As respects the through traffic eastward, only such articles of ocean commerce as are of great value and little weight, and which, therefore, can afford to pay land carriage, to save time and insurance, will be likely to come through by rail. On the other hand, the population of the extensive mining region of the mountains will be chiefly supplied with provisions and breadstuffs, as well as with merchandise, heavy groceries and machinery, from the Missouri valley. We may therefore assume the tonnage westward as at least twice as great as that going east. Until finished through to the Pacific the difference will be far greater.

2d. Present location between Omaha and the Platte valley, at crossing of the Elkhorn, is twenty-three miles, with maximum grades, ascending westward, of 66 feet per mile, and ascending eastward, 79 2-10 feet, or, say, 80 feet per mile, throwing off fractions.

3d. New route between same points, as suggested by consulting engineer, following down Mud creek to the Pappillon, and thence up its western branch, is 32 miles long, with proposed maximum grades of 40 feet per mile in both directions. The curvature is assumed to offer equal resistance on either line.

4th. The extension of the line up the Platte, from the point of intersection at the Elkhorn, will have grades ascending with the general inclination of the valley for 200, or perhaps 400 miles, reaching a maximum at certain points, probably, of 10 feet per mile. As the same engine, upon this grade, will haul more than twice the load which it can bring from Omaha to the Elkhorn, even on the line of 40-foot grades, we may assume that in the practical working of the road, whichever route be adopted, freight trains will be made up at this point, with the number of cars adapted to the grade east or west, as the case may be.

According to Colonel Seymour's tables, a 30-ton engine will haul westward from the Elkhorn, on the 10-foot maximum grade, 56 loaded cars, or in practice, say 50 cars, which will make a train quite long enough for convenient working. The cost of hauling these 50 cars over the high grades from Omaha will be, comparatively, on the two lines, as follows:

An engine of 30 tons weight will haul over the 66-foot grades 16 cars, or over the 40-foot grades 25 cars. It will save fractional calculations, and is accurate enough for comparison, to assume three trains over the 66-foot grades, or 48 cars, as equal to two trains, or 50 cars, over the 40-foot grades. Then, supposing that the engine in each case, after delivering at the Elkhorn the number of cars due to a Platte valley train, goes west with its last section without returning, it will have passed over the line of 66-foot grades, 23 miles in length, five times = 115 miles run; or, over the line of 40-foot grades, 32 miles in length, three times = 96 miles run. This, at \$1 per mile run of the engine, gives a cost of \$115 on the present location for delivering at the Elkhorn 48 cars, and a cost of \$96 for delivering at the same point 50 cars by the proposed new route, by way of Mud creek and the Pappillon. The adoption of the longer line of 40-foot grades will, therefore, save \$19 in the cost of motive power on each 50 car loads, or on each 500 tons of westward-bound freight.

Eastward-bound freight need not be brought into the calculation upon the foregoing basis. If I am right in assuming twice as much tonnage west as east, then the cars going east will be but half loaded. On the short route of 23 miles there are 80-foot maximum grades ascending eastward, over which the return engine could haul 13 loaded cars, making a gross load of 221 tons. But to equalize the cars going in both directions, it must take 16 cars on each return trip. Half of these return cars, being empty, or all but half loaded, the gross load would be 192 tons. Upon this basis, with the large preponderance of westward freight, the 80-foot grades, on the present location, will in practice impose no extra cost, so far as respects the mere cost of motive power, over what is caused by the grades of 66-foot ascending in the direction of the greater traffic.

I have not deemed it necessary to enter into the question of passenger business. Until the new Territories are fully settled it will be heavier west than east. Passenger trains, as made up at Omaha, will run up the Platte, unbroken, and with the same engine, to the first point of change, 80 or 100 miles distant. There would be a waste in the excess of power required east of the Elkhorn even with 40-foot, and still more with 80-foot grades, over what is required on the low grades west. The exact value of this waste is difficult to estimate. Ordinarily, the short line could be run in some 15 minutes less time than the new and longer route. But in the winter season the trip would often be made in less time over the longer route

A saving of \$19 on each 500 tons of western-bound freight would give, upon the yearly traffic, when it shall have reached 300,000 tons in that direction, an annual saving of \$11,400.

There would also be a material saving in wear and tear by adopting the more level route. Grades of 66 and 80 feet per mile are very destructive to machinery, and more so in the descent than the ascent.

On the other hand, there is the expense of maintaining nine miles of cross-ties to be charged against the new line, equal to about \$2,000 per annum.

The cost of construction is considered equal—the expense of changing the first five or six miles from Omaha running down the river, to be done at a future day, to get a 40-foot grade throughout, off-setting the estimated saving west of the point of divergence.

It must also be stated that the full advantage of the lower grade on the new route will not be realized until the change alluded to in the last paragraph shall have been made. Without this change there is still near three miles of high grade, ascending westward from 61 to 66 feet per mile, to be overcome, mitigated somewhat in its inconvenience by being at the beginning of the road, where assistant engines can at all times be in readiness.

While my statement of the question differs in form, and works out, perhaps, a smaller saving than that reached by the consulting engineer, I concur with him in advising the change. For a business covering only the section of high grades between Omaha and the Elkhorn, it might be a nearly balanced question, whether to increase distance 40 per cent. for the proposed reduction of grades. But connected, as this section of the road is, with the 400 miles of 10 to 15 feet grade westward, this undulating section, with its grades of 66 and 80 feet, becomes a serious evil, affecting essentially the economical and beneficial working of this great national thoroughfare. And in view of the peculiar relation of this first section of the road to the whole line this side of the mountains, I go further than the consulting engineer, as respects western ascents, and recommend that the board limit its grades to 20 feet per mile ascending westward, and 40 feet per mile ascending eastward, maintaining still a lower maximum grade ascending west than east, equalizing, as near as may be, the power required to haul the outgoing and incoming trains, under the inequality of tonnage, in two directions, which, in all probability, will preponderate westward more largely than I have assumed. The Elkhorn bluffs may require a 40-foot grade ascending eastward. But on the proposed route, by way of the Missouri, Mud Creek, and Pappillon valleys, a maximum ascending westward, as low as 20 feet, cannot materially enhance the cost of grading.

While the principle of Colonel Seymour's report, to wit, an increased length of about nine miles for a reduction of grades to 40 feet throughout, may be safely adopted, yet the actual change of this location should await the more careful surveys of the new route now in progress that the correctness of his basis may be verified.

It should be stated that the survey of the line by which the high grade at Omaha is hereafter to be avoided has not yet been made, nor have I passed over the ground. For the first three or four miles following the Missouri bottom, there can be nothing to prevent a grade of 20 feet. Should the narrow ridge between the river bottom and the parallel valley of Mud creek prove too high to pass by a thorough cut, the company, when its means shall warrant, can well afford a short tunnel rather than a continued use of the three miles of 61 to 66 feet grade.

The commerce of the country, in seeking its destination through the broad and level valley of the Platte, so favorable as an inlet to the great mining region, and as a through route to the Pacific, should not be compelled to pass over the narrow belt of high undulating land, separating the Missouri valley from the Elkhorn, encountering in this short distance a total rise and fall of over one thousand feet.

The further general remark may be made, in conclusion, that the undulating character of the country approaching the Missouri river, on both sides, forces railroad lines into the valleys, even though considerably lengthened thereby.

Very respectfully,

J. L. WILLIAMS,
Member of Locating Committee.

THOS. C. DURANT, Esq., *Vice-President U. Pacific R. R. Co.*

APPENDIX B.

No. 1.

EFFECT OF GRADE AND VELOCITY ON MOTIVE POWER.

The tractive power of an engine is limited by the adhesion of its driving wheels to the rails. This will be assumed constant at all velocities, and equal to 25 per cent. of weight on drivers. Formerly 12½ per cent. was assumed, but, as the weight of engines has increased, the pressure on rails has become a crushing force, and by bringing the wheel and rail into

closer contact largely increased the adhesion. Experiments have shown an actual adhesion of 30, 33, 36, and even 40, per cent. of weight on drivers, resulting from increased weight on each driving wheel.

Tractive force is also limited when above a certain velocity by the evaporative power of the boiler. The relation between these two limits and the size and velocity of trains is shown approximately in the diagrams for passenger and freight engines.

Properly built engines should make as much steam as can be used at the velocities they are intended to be run. Beyond this point the tractive force of an engine decreases very rapidly while the resistances to the train are increasing.

I will therefore calculate the power of an engine under different circumstances in relation to its adhesion.

In applying the results to any engine it must be borne in mind that they are only correct up to the velocity at which an engine can just make steam enough to slip its drivers, and that beyond this point the results given by the formula would be all too large.

We will call—

Weight of train in tons of 2,000 pounds each	W
Weight of engine in tons of 2,000 pounds each	e
Weight of tender in tons of 2,000 pounds each	t
Each loaded car in tons of 2,000 pounds each	c
Number of cars in train	n
Velocity in miles per hour	v
Grade in feet per mile	g
Tractive force in pounds	T

$$\text{Resistance of gravity} = \pm \frac{W g 2000}{5280} = \pm 0.3787878 W g$$

Resistance due to rolling friction in cars, tender and engine, due to it as a carriage.—Pambour's experiments with English cars at low velocities show this to be 5.76 pounds per ton,

but for general use he assumes 6 pounds. Scott Russell and others assume the same. McCallum, with American cars, shows it to have been 4.5 in his experiments. As his cars were probably in very good order, I will assume 6 pounds for the present purpose, although I have no doubt that friction might, with well-oiled boxes, straight axles, good track, &c., be reduced to 4 pounds.

∴ Friction = 6 W.

Additional friction of engine.

Pambour shows from a number of experiments with English engines that this was = 0.137 T for engines with one pair of drivers, and = 0.215 T for engines with two pair drivers coupled. Although our engines have all two or more pair of drivers, they sit so much easier on the track and are so much more flexible in every way than English engines that I will assume additional friction = .10 T.

This result agrees with McCallum's experiments, although differing in formula.

Resistance of the air.

Assuming front surface of train at 80 square feet, and taking the formula Pambour obtained by uniting the results of Borda and Thibault, we have—

$$\text{Resistance of air} = .0013435 (160 + W) v^2$$

Additional friction dependent on velocity and concussion or oscillation.

$$\text{Gooch assumes this} = \frac{W v}{15}$$

$$\text{Scott Russell assumes this} = \frac{W v}{3}$$

But Russell assumed so low a value for resistance of air on long trains that this additional friction, which is entirely arbitrary, had to be made large to correct his results. American trains being more flexible, it will, I think, be fair to assume it = $\frac{W v}{20}$

Since the resistance must equal the power expended.

$$T = \pm W g .37878 + 6 W + \frac{T}{10} + .0013435 (160 + W) v^2 + \frac{W v}{20}$$

$$\therefore \frac{9 T}{10} = W \left(\pm g .37878 + 6 + .0013435 v^2 + \frac{v}{20} \right) + .2146 v^2$$

$$\therefore W = \frac{\frac{9 T}{10} - .2146 v^2}{\pm .37878 g + 6 + v (.05 + .00134 \frac{1}{2} v)} = n c + e + t$$

A freight engine and tender will weigh about 50 tons together; freight cars weigh about 7 tons, and are built for a load of about 10 tons. Assuming these values, and substituting them in last member of the above equation, we get $W = 17 n + 50$ ∴ $n = \frac{W - 50}{17}$

By assuming different weights for the engine, the number of cars hauled will vary proportionally. It is convenient to have the number hauled on any grade in decimals of the number hauled on a level. I will, therefore, assume the number of 17 ton cars, hauled slowly on a level, to be 100, and calculate the size of engine necessary, instead of assuming the size of engine and getting some odd number of cars inconvenient for comparisons; g and v become 0 under this supposition, and $W = \frac{9 T}{6} = 1700 + 50 = 1750$.

$$\therefore \frac{9 T}{10} = 10.500 \text{ lbs. } T = 11666 \frac{2}{3}$$

Assuming cylinders $17'' \times 17'' \times 24''$, and drivers 5 feet in diameter, we have

$$T = 11666\frac{2}{3} = \frac{P \cdot 17^3 \times 24}{60} = 115.6 P. \therefore P = 101 \text{ lbs.}$$

In other words, effective pressure required to haul 1750 tons slowly on a level with the above engine = 101 lbs.

Substituting for $\frac{9T}{10}$ its value, we have,

$$(1) \quad W = \frac{10500 - .2146 v^2}{\pm .37878 g + 6 + v(.05 + .00134\frac{1}{2} v.)}$$

$$(2) \quad n = \frac{W - 50}{17}$$

Equation (1) contains three variables W , g and v ; any two may be assumed and the other calculated. The relation between them is best shown by constructing the curved surface represented by the equations (1 and 2); g is to be taken with a + sign when ascending a grade, and — when descending. W reduces to 0 when $.2146 v^2 = 10500$ —that is to say, when resistance of air equals $\frac{1}{10}$ adhesion. When W reduces to 50 the engine can just haul its own weight with tender.

By attributing different values to g and v , and substituting the resultant values of W in equation (2,) we get the following:

Table showing proportional number of cars that an engine can haul up different grades and at different velocities.

Grade in feet per mile.	VELOCITY IN MILES PER HOUR.								
	0.	10.	20.	30.	40.	50.	60.	70.	80.
0	100.0	90.2	78.3	66.6	56.0	46.5	38.4	31.6	25.9
10	60.0	55.2	51.0	45.6	39.9	34.5	29.5	25.1	21.1
20	42.1	40.4	37.1	34.3	30.8	27.2	23.8	20.6	17.6
30	33.0	31.3	29.5	27.3	24.8	22.3	19.8	17.9	15.0
40	26.1	25.3	24.1	22.5	20.7	18.7	16.8	14.9	13.0
50	21.8	21.2	20.2	19.0	17.6	16.0	14.5	12.9	11.3
60	18.5	18.0	17.3	16.4	15.2	13.9	12.7	11.4	10.1
70	16.0	15.6	15.1	14.3	13.3	12.2	11.2	10.1	9.0
80	14.1	13.8	13.3	12.6	11.9	10.9	10.0	9.0	8.0
90	12.5	12.2	11.8	11.2	10.6	9.8	9.0	8.1	7.3
100	11.1	10.9	10.5	10.1	9.5	8.7	7.9	7.2	6.6
110	10.0	9.8	9.5	9.1	8.6	8.0	7.4	6.7	6.0
120	9.1	8.9	8.7	8.2	7.8	7.7	6.7	6.0	5.4

To apply the table to any engine, multiply the number of cars the engine can haul slowly on a level by the numbers corresponding to the desired grade and velocity, and divide by 100.

The table is of no use at a velocity too great for the engine to make steam enough to utilize its adhesion.

Beyond this velocity, the power of the engine should be calculated in terms of its evaporative power; the formulæ would be of little practical value in this discussion, and are therefore omitted.

No. 2.

EXPENSES OF OPERATING RAILROADS.

In calculating the cost of operating any line of railroad, the most reliable data are the annual reports of similar works. I have selected for the present comparison the report of the New York Railroad Commission for the year ending September 30, 1856. A later report might have been taken, but those of late years are not so detailed, and are based on war prices; they are, therefore, neither as convenient nor as suitable for a comparison.

The result of this investigation depends more on the relative than the aggregate value of the different items of expense. It is therefore important, in making an impartial comparison, that the average results from several roads be taken, and that this average should be taken in a proper manner. For example: although the New York Central does the largest passenger business in the State, and is one of the longest roads in the country, yet, by taking the annual expenses of that alone as the criterion, the result would be unfair to the route of longest line and lightest grades, because even when reduced to single track, the expenses of repairs of roadway on that road are much above the average.

On the other hand, by taking our data from the Hudson River Railroad the result would be unjust to the route of short line and heavy grades, on account of the greater expense of train mileage on that line.

And by taking the Hudson River Railroad as a basis for calculation, there would be the uncertainty in result arising from the large proportion of expenses classed as miscellaneous on that road, which should have been more definitely allotted.

By giving the data from each road a value proportional to the business of the road in taking the mean, the result would differ but slightly from a mean between the New York Central and New York and Erie roads, since the business of those two roads is so much larger than that of the others.

I have therefore selected from among the New York railroads the following:

New York and Erie Railroad.

New York Central Railroad.

New York and Harlem Railroad.

New York and New Haven Railroad.

Hudson River Railroad.

By giving the results from each road equal weights, individual peculiarities are eliminated from the mean result.

In these annual reports, besides stating the actual value of each item of expense, the following tabular deductions are made:

Cost of construction and maintenance of way are given per mile of road; the latter is also given per mile of road reduced to single track. Annual expenses, including maintenance of way, repairs of rolling stock and operating road are given per mile run by trains, and per ton of freight, or per passenger carried one mile; (the latter, when multiplied by the average number of passengers or tons of freight per car, will give cost per car mile.)

In two routes of different lengths and grade, since the numbers of cars per train will vary these two methods of calculation, train or car mileage, would give different results.

Neither, taken alone, would be a correct way to estimate the expenses of a road. Train mileage is greatest on old route, while car mileage is greatest on new route, in the present comparison. By one method of calculation, the expense of maintenance of way would be greatest on the shortest route, and by the other, expense for motive power would be least on the steepest grades; the error arising in each case from calculating the expense in a wrong manner, and serves to show that the reliability of the result depends almost entirely on calculating separately those items of expense which depend on data different on the routes to be compared.

To simplify the subject as much as possible, I will assume that the different routes to be compared are alike in the following: traffic, speed, size of engine and cars, and that they differ in length of line, in grades, and consequently in numbers of cars per train.

I have divided the expenses as follows:

1. Maintenance of way.
2. Expenses dependent on train mileage.
3. Expenses dependent on car mileage.
4. Expenses loading freight.
5. Station and miscellaneous expenses.

MAINTENANCE OF ROADWAY.

This is subdivided into repairs of roadway, cost of iron for repairs, repairs of buildings, repairs of fences and gates, taxes on real estate. The last three items do not vary with grades, except that with the increased amount of motive power necessary on heavy grades, the amount of buildings for accommodation and repairs of engines will be increased. But this may be neglected, as the expense for repairs of buildings is very small. It should, however, be taken into account in calculating cost of constructing two lines of different grades.

To transport a given amount of freight over a road, the engine mileage over a single mile of road increases inversely, as the number of cars the ruling grades admit in a train.

In case the engines are made heavier so as to carry the same loads over the maximum grades the injury to track increases probably in a still greater ratio.

The destructive effect of an engine on the track probably increases in the same ratio as the adhesion; the latter is well known to increase in a greater ratio than the weight on drivers.

It will therefore be fair to estimate that deterioration of track due to engines with a given annual tonnage of freight is inversely as the number of cars the engine can haul over maximum grades.

The number of cars passing over a road to transport a given amount of freight is independent of the grades. But on a descending grade the application of the brake to retard the motion must injure the rails to some extent, even when the wheels are not made to slide on the rails. This influence of grades on the effect of car mileage on track it would be impossible to estimate. It is, however, probably so small that it may safely be neglected.

One-half the wear of track is considered as chargeable to the engine, on account of its greater weight, and the rapidly increasing effect of weight on rails. But since some of the repairs are called for by action of weather and time, I will assume that only one-third the repairs of track are called for by engine, and that this third varies inversely as the number of cars an engine can haul, since this number determines engine mileage on a single mile of road.

Average cost of maintenance of roadway per mile of single track.

Name of railroad.	Repairs of road bed.	Cost of iron used in repairs.	Repairs of buildings.	Repairs of fences and gates.	Taxes on real estate.	Total.
New York and Erie.....	\$558 90	\$55 52	\$35 52	\$7 47	\$66 98	\$724 39
New York Central.....	885 30	98 36	138 29	13 70	167 16	1,302 81
New York and New Haven.....	517 23	112 32	62 11	.....	140 30	831 96
New York and Harlem.....	622 34	202 91	14 76	.....	108 85	948 88
Hudson River.....	657 86	.....	44 31	2 22	87 42	791 81
5)	3,241 63	469 11	295 01	23 39	570 71	4,599 85
	648 33	93 82	59 00	4 68	114 14	919 97

The wear of track referred to averages, then, \$742 15 per mile in a year. Since one-third of this is chargeable to the engine, and the mileage of the latter depends on the number of cars it can haul, $\frac{\$742\ 15}{3} \times \frac{t}{t}$ will give its value on any road, the average number of cars hauled over the five roads referred to being represented by t' . By taking a mean of the ruling grades on those roads we get 30 feet. Up this grade, at 15 miles an hour freight speed, an engine can haul 30.4 cars; at 30 miles an hour, passenger speed, it can haul 27.3. A mean of these results is 28.85 = t' . Deducting $\frac{\$742\ 15}{3} = \$247\ 38$ from \$919 97 and we have \$672 59 for the annual expense of repairs of roadway, which is independent of grades. The total cost is, therefore, = \$672 59 + $\frac{\$247\ 38 \times 28.85}{t}$; annual cost maintenance way for one mile, single track, = $\$672\ 59 + \frac{\$7,136\ 91}{t}$.

NOTE.—This is on the supposition that the average annual traffic on the five roads is the same as on the two routes to be discussed. If it differs the error will be the same in each case, and the sum total of annual expenses be altered, but not the difference in favor of one or the other line.

Expenses dependent on train mileage.

These include the repairs of engine and tenders, with tools for these repairs, train employes, fuel, and one-half the miscellaneous expenses of operating a road; the other half being classed with station expenses.

It being assumed that the engines are worked to their full power, the repairs they need will, of course, vary with the distance run, which constitutes train mileage. Expense for repairs of tools of course depends on repairs of engine.

Each train has its engine-driver, fireman, conductor, and baggage man, with a number of brakemen. The number of the latter may depend on the number of cars, but since they are more needed on lines with steep grades to keep the cars under proper control, I will assume the expense for brakemen to depend, like that of other train employes, on train and not on car mileage.

The expense for fuel depends properly on a combination of train mileage with elevation overcome. To give fuel its exact value would complicate the question considerably without materially affecting the result. I have, therefore, included it in train expenses, which will be an approximation to its true value not far from correct.

EXPENSES DEPENDENT ON FREIGHT AND PASSENGER-TRAIN MILEAGE.

In cents per mile run by trains.

Name of railroad.	Repairs of locomotives and tenders.	Two-thirds repairs of tools, two-thirds incidental.	Conductors, baggage-men, and brakemen.	Engine-men and fire-men.	Fuel, coal, and labor of preparing.	Oil and waste for engine and tender.	Half miscellaneous expenses.	Total.
FREIGHT TRAINS.								
New York and Erie.....	12.27	0.79	7.26	7.06	18.32	1.54	6.36	53.66
New York Central.....	13.50	1.58	3.99	6.29	17.68	1.98	1.77	46.79
New York and New Haven.....	9.43	0.97	7.23	3.19	20.63	2.19	9.44	53.08
New York and Harlem.....	6.86	0.25	8.21	4.36	17.76	1.73	11.36	50.57
Hudson River.....	9.11	1.25	6.45	4.53	29.55	2.02	20.49	73.40
Mean cost per mile run by freight trains.....							5)	277.30
								55.30
PASSENGER TRAINS.								
New York and Erie.....	9.10	0.93	6.29	6.05	9.85	1.21	1.43	34.86
New York Central.....	13.51	1.58	4.99	3.25	17.70	1.98	1.98	45.57
New York and New Haven.....	10.20	1.05	6.57	5.52	22.31	2.31	4.12	52.08
New York and Harlem.....	6.15	0.83	7.65	3.92	15.87	1.55	10.09	46.06
Hudson River.....	8.43	1.16	6.15	4.32	26.19	1.93	17.30	67.50
Mean cost per mile run by passenger train.....							5)	246.07
								49.214

Expenses dependent on car mileage.

In comparing two routes of different grades, since the number of cars per train depend on maximum grades, it is proper to estimate separately those expenses which are chargeable to the cars themselves, and are therefore distinct from the preceding, which have been charged to train mileage.

Expenses in cents per mile run by one car.

Name of railroad.	FREIGHT.			PASSENGER.		
	Per train mile.		No. of cars in train.	Per train mile.		No. of cars in train.
	Repairs.	Oil & waste.		Repairs.	Oil & waste.	
New York and Erie.....	9.53	1.32	26.0	5.75	0.91	6.0
New York Central.....	11.32	1.91	17.06	11.70	1.90	3.51
New York and New Haven.....	10.66	1.45	9.00	12.22	0.47	4.00
New York and Harlem.....	9.28	1.19	13.11	9.39	0.74	10.04
Hudson River.....	9.69	1.13	14.00	8.15	0.49	6.00
	50.48	7.00	79.17	47.21	4.51	29.55
79.17)	57.48	(0.726	29.55)	51.72	(1.75	

Loading and unloading freight.

A mean of the amounts paid on the New York and Erie Railroad and New York Central shows this to be for each ton of freight put on and taken off cars 20 cents.

Station and miscellaneous expenses.

These depend on all the preceding expenses, as they are for superintendence of maintenance of way, train and car expenses, and repairs, daily movement of trains, passengers and freight, &c. Any considerable alteration in any one item of expense will have an influence on station and miscellaneous expenses. The latter, therefore, should be estimated as being a given fractional part of the sum of the other expenses. It would be easy to show the error arising from making it depend on length of road, train, or car mileage.

On the roads already referred to we find these expenses per train mile as follows, in cents :

Passenger and freight transportation.

Name of railroad.	Office and stationery.	Agents and clerks.	Porters, watch, and switchmen.	Wood and water stations attendance.	Losses and damages.	Salaries and law expenses.	Half miscellaneous.	Sum.	Total maintenance, way repairs, and operating road.	Percentage of total.
New York and Erie.....	1.71	5.09	2.12	0.35	0.92	2.10	5.09	17.38	96.96	0.176
New York Central	0.12	6.25	5.04	1.58	3.97	1.01	1.88	19.85	124.28	0.159
New York and New Haven	5.05	4.64	3.62	0.51	1.44	5.95	5.17	27.38	117.28	0.233
New York and Harlem.....	1.05	6.61	5.61	0.40	0.81	3.03	10.54	28.05	113.78	0.246
Hudson River	0.26	6.37	9.87	1.19	3.84	2.41	18.54	42.47	148.55	0.286
Percentage to be added to sum of preceding expenses for station and miscellaneous expenses										51.100
										0.22

Summary.

Maintenance of way, annual cost per mile of single track = $\$672\ 59 + \frac{\$7,136\ 91}{t}$

number of cars from table corresponding to grade and velocity for road = t ; a mean of its passenger and freight values should be used.

Expenses dependent on train mileage:

Cost per mile run by freight trains, 55.5 cents.

Cost per mile run by passenger trains, 49.214 cents.

Expenses dependent on car mileage:

Cost per mile run by freight cars, 0.726 cent.

Cost per mile run by passenger car, 1.750 cent.

Expense loading and unloading freight:

Twenty cents per ton, handled twice.

Miscellaneous and station expenses:

Twenty-two per cent. of sum of preceding.

Annual $\left\{ \begin{array}{l} \text{freight tonnage} \\ \text{or} \\ \text{No. of passengers} \end{array} \right\} \times \text{length of road in miles.}$

Train mileage = $\frac{\text{Annual } \left\{ \begin{array}{l} \text{freight tonnage} \\ \text{or} \\ \text{No. of passengers} \end{array} \right\} \times \text{length of road in miles.}}{\text{No. of cars in train} \times \text{No. } \left\{ \begin{array}{l} \text{tons, freight,} \\ \text{or} \\ \text{passengers.} \end{array} \right\} \text{ in cars.}}$

Car mileage = train mileage \times No. of cars in train.

APPENDIX C.

No. 1.

UNION PACIFIC RAILROAD COMPANY,
Engineer Department, 13 William street, New York, August 29, 1865.

COLONEL: I have the honor to place in your hands the following named data relating to the proposed change in the route of the Union Pacific Railroad between the Missouri river and the Platte valley, to wit:

1. Communication from the Union Pacific Railroad Company, with reference to their future policy as connected with the change of route west of Omaha.
2. Report of the consulting engineer on the location between Omaha City and the Platte valley, dated December 21, 1864.
3. Letter of J. L. Williams on the location between Omaha City and the Platte valley, dated January 2, 1865.
4. Map showing the different routes surveyed for the Union Pacific Railroad between the Missouri river and Frémont.
5. Profile showing the grades upon the different routes surveyed for the Union Pacific Railroad between the Missouri river and Frémont.
6. Estimate of cost of different routes between the Missouri river and Platte valley, August 24, 1865, by S. Seymour, consulting engineer.
7. Extract from estimate of first 100 miles, 80-foot grades, September 1, 1864, by Peter A. Dey, engineer in charge.
8. Approximate estimate West Pappillon and Mud creek, January 23, 1865, by J. E. House, division engineer.
9. Estimate of D. H. Ainsworth engineer in charge, August, 1865.
10. Surface profiles of routes Nos. 1, 2, 3, 4, and 5.

The communication from the company with reference to their future policy as connected with the proposed change of route west of Omaha is intended to convey the strongest assurances that can be given by the Union Pacific Railroad Company, that, in case of the approval by the President of the United States of the amendment of the route between Omaha and the Platte valley, as submitted to him through the Secretary of the Interior on the 12th of May, 1865, and represented upon the accompanying maps, profiles, and estimates as "Route No. 3," the company will within a reasonable time adopt and carry out the improvements in maximum grades of which this route is claimed to be susceptible, as the same are represented upon the map, profiles and estimates by "Route No. 4."

The report of the consulting engineer, dated December 21, 1864, together with the letter of Hon. J. L. Williams to Mr. T. C. Durant, vice-president of the road, dated January 2, 1865, contain the reasons which induced the company in January last to abandon the route as originally located between Stations 150 and 900, and substitute for it what is called the Mud creek and Pappillon valley route, between the same points.

You will observe that the case, as presented in the documents above referred to, is a supposititious one, based upon certain assumptions, which it was believed a survey of the route recommended for adoption would prove to be true. The company, therefore, in the first instance, adopted the change upon the condition that the surveys of the new route proved the correctness of the data assumed in the argument, which being afterwards done to the satisfaction of the company, so far as the Mud creek and Pappillon valley line was concerned, the work of construction was during the early part of last February suspended upon the old line and commenced upon the new line.

In submitting the case at the present time for your final investigation and report to the Secretary of the Interior, to whom it has been referred by the President, for the purpose of vindicating the officers of the company from the charge of improper motives in prematurely adopting this change of route, it appears proper that I should lay before you the following brief history of the case prior to the date of my report of December 21, 1864, and the letter of Mr. Williams of January 2, 1865:

In October, 1864, I, for the first time, passed over and examined the line, as then located and being constructed, under the direction of Mr. Peter A. Dey, engineer in charge, in company with Mr. Jesse L. Williams, Mr. John E. Henry, and Mr. Dey. In doing this, I took occasion to study the drainage and topography of the country in the immediate vicinity of this line, and to obtain from Mr. Dey what information I could respecting the surrounding country. I found that the line, as then located, crossed the headwaters of Mud creek at or near Station 170, and, on examining the map, I found that this creek ran southerly, and discharged into the Pappillon at a point four or five miles west of the Missouri river, at Bellvue.

Before leaving Omaha, I asked Mr. Dey if he had studied the topography of the country sufficiently to render it certain that the maximum grades between Omaha and the Platte valley could not be reduced at a reasonable expense by increasing the length of the line. He replied, very positively, that he had, and that it could not be done. I then called his attention particularly to the eighty-feet grade descending westerly from the bluffs into the Platte valley near the Elkhorn river, and told him that I was satisfied, from my examination of the

ground, that by turning the line upon the face of the bluffs the grade at that point could be reduced to almost any limit, and the cost of grading materially reduced. He admitted that this was possible, but claimed, at the same time, that the eighty feet grade at that point was of no importance, so long as the same grade occurred in several instances between that point and Omaha. I then asked him if he would run such a line as I suggested, before commencing work at that point, and send me the result of the survey to New York, which he promised to do.

On leaving Omaha for St. Joseph, by steamboat, I took occasion to examine from the pilot-house the bluffs between Omaha and the mouth of the Pappillon, for the purpose of ascertaining whether there were any depressions between those points, through which a line could pass, with low grades, between the Missouri and Mud Creek valleys, and I became satisfied that it could be done. The opinion was then formed that a very palpable engineering mistake had been made, either in fixing the terminus of the road at Omaha, or in the location of the line between Omaha and the Platte valley.

Soon after returning to New York, in November, I inquired of Mr. Durant, the vice-president of the company, whether the location of the line between the Missouri river and the Platte valley was to be regarded as fixed beyond change, or whether it could be so far regarded as an open question that I would in any manner be held responsible for it hereafter, as consulting engineer of the road. He informed me that he regarded the terminal point as fixed beyond change, but if I could suggest any change in the location of the first forty miles that would be regarded as a decided improvement in the route, it was unquestionably my duty to do so at once, and before any further expenditure had been incurred upon the line as then located.

I immediately commenced an investigation of the subject, by collecting the data on file in the office, which consisted of a map and profile of the located line, together with maps and profiles of preliminary surveys from the Elkhorn, down the Platte valley to its mouth, and down the West Pappillon to Bellvue.

In the mean time a correspondence bearing upon this subject occurred between Mr. Dey and this office, a copy of which is annexed hereto.

From the information obtained from these profiles, and the correspondence with Mr. Dey, together with the general knowledge of the country acquired during my hasty visit in October, resulted the report of December 21, 1864, Mr. Williams's letter of January 2, 1865, and the subsequent abandonment by the company of the old location between Stations 150 and 900, and the adoption of the line as then recommended down Mud creek and up the Pappillon valleys.

It should be borne in mind, however, that the change in location and grades between Stations 150 and 900 was not all that was specified, either in my report or the letter of Mr. Williams, as being necessary for the company to do before realizing the advantages claimed for the new route by reason of the reduction of the maximum grades to forty feet per mile in each direction.

The grading, then nearly completed, between Omaha and Station 150, was to be used only temporarily; and it was recommended, "that for the present as little money as practicable be expended in grading in the valley of Mud creek, between Station 150 and the point where a line with moderate grades in both directions would naturally leave this valley to enter the valley of the Missouri river." The line here referred to, "with moderate grades in both directions," was the route heretofore alluded to, as passing through the depression in the bluffs between Omaha and the mouth of the Pappillon, and which I assumed would, as a matter of course, be adopted hereafter by the company.

It was also stated in the report that the grade of eighty feet per mile, near the Elkhorn, must hereafter be reduced to forty feet per mile, either by a slight change in the location, or by deepening the excavation and raising the embankment upon the present location. With these changes in alignment and grades, it was claimed that the new route would possess all the advantages over the old route assumed for it in the report.

It may also be proper to state in this connexion, that Mr. T. C. Durant, vice president, never, to my knowledge, advocated the change in location, either in or out of the board of directors. On the contrary, he seemed to be reluctantly forced into a passive assent to the change by the weight of the argument in its favor, and the judgment of the government directors, together with the advice of Mr. Usher, then Secretary of the Interior, who happened to be in the office of the company when the matter was under discussion, and represented to the board that the President, Mr. Lincoln, would undoubtedly favor the change.

The matter, however, was never submitted to Mr. Lincoln for his approval before his death, nor was it officially laid before the Interior Department until the day fixed for the retirement of Mr. Usher as Secretary.

It is not strange, therefore, in consideration of the extra charge upon the government subsidy growing out of the elongation of the line, and the clamor and misrepresentations made as to the facts in the case, and the motives of the company in making the change by parties who suppose that their private interests will be affected unfavorably thereby, that Mr. Harlan, the present honorable Secretary of the Interior, should recommend to the President that the matter be examined and reported upon by a competent and disinterested government engineer, before taking final action upon it.

You will see from the foregoing statement that I incurred a very serious personal as well as professional responsibility in recommending so important a measure to the company upon information and data so slight and unreliable; but it was an issue that I could not consistently avoid when I found that my own reputation as an engineer was at stake. I am conscious of having entered into the discussion with a single eye to what I regarded as the real interests of all parties who had a right to be consulted in the matter, and whatever may be the final result, I shall always feel that my duty to the company, as their consulting engineer, has been faithfully performed.

You will find, on examining the data herewith submitted, which is principally the result of surveys instituted at your own request, and conducted under your own direction and supervision, that all that was claimed for the amended route, in my report to the company of December 21, 1864, has been much more than realized, all of which, as a matter of course, is exceedingly gratifying to me.

The line, instead of being nine miles longer than the old one, is found to be but a fraction over eight miles. The maximum grade, to which the amended line may be easily adapted, is thirty feet per mile, instead of forty, as claimed in my report. An additional argument, not found in my report, has also been developed by the recent surveys, which should, in my opinion, be entitled to great weight in the discussion of this question; which is, that by constructing, at moderate expense, a branch from the mouth of Mud creek, down the valley of the Pappillon, to the Missouri river, a distance of five and a half miles, the summit between the valley of Mud creek and the Missouri river may be avoided, the line shortened more than three miles, and the grades ascending from the Missouri to the Platte valley reduced to a maximum of *twenty feet per mile*.

It may, and probably will be claimed, that this latter argument has nothing to do with the question at issue, for the reason that it looks to an eventual change in the eastern terminus of the road, from a point once fixed by the president, without adequate surveys, and probably without due consideration of the important engineering and commercial principles involved in the decision. My own experience and observations, however, have taught me that, however much political and personal interests are allowed to influence and control the initial steps necessary to the commencement of a great national enterprise like the Union Pacific railroad, the result will always show, that in its final location and construction the real interests of all parties will be best subserved by adopting and adhering to the fundamental principles and laws of engineering and commerce, which time and experience have rendered almost immutable.

Without considering the question of the original comparative cost of the respective routes, which in my opinion (as stated on page 5 of my report of December 21, 1864) has very little to do with the subject, it appears to me that the case, as now presented to you, involves the following simple proposition:

Is it better for the railroad company, the government, and the public, that the Union Pacific railroad, in view of all its future eastern connexions and probable business, shall be so located and constructed that thirty miles of its eastern terminus will for all time be subjected to ruling grades of 66 feet per mile ascending westward, and 79.2 feet per mile ascending eastward, instead of being located and constructed upon a route which, by increasing the distance eight miles, and the future expenditure of \$245,000, will admit of ruling grades of 30 feet per mile in each direction; or, by increasing the distance five miles and the future expenditure of \$132,800, will admit of ruling grades ascending 20 feet per mile westward, and 30 feet per mile eastward, between the Missouri river and the head of the Great Platte valley, a distance of more than five hundred miles.

It is not my purpose, colonel, in this communication, to argue the question any further than to call your attention to the real facts in the case, together with the general principles assumed in my report of the 21st December, 1864, as being applicable to similar cases; and which I believe will be substantially indorsed by all experienced railroad managers in the country.

I enclose for your information a copy of a letter upon this subject, under date of January 11, 1865, from Mr. John B. Jervis, whose opinions are, from his long and varied experience, justly entitled to great consideration in matters of this kind.

I have the honor to be, colonel, very respectfully, your obedient servant,

S. SEYMOUR,

Consulting Engineer Union Pacific Railroad.

Colonel J. H. SIMPSON,
U. S. Engineers, Washington, D. C.

No. 2.

PITTSBURG, FORT WAYNE, AND CHICAGO RAILROAD CO.,
Office of Chief Engineer, Pittsburg, Pennsylvania, January 11, 1865.

DEAR SIR: Mr. Harbaugh handed me your report on the location of first section from Missouri river, with a note, stating you would like my opinion. I do not suppose you expect an analytical examination, nor have I the time at present to make such. I have read your report, and I think a careful examination would corroborate the view you reach, or would show the preference for the lighter grade, even at the expense of the increased distance. Heavy grades may be successfully encountered, but they involve more additional current expense than is usually anticipated.

Very respectfully yours,

JOHN B. JERVIS,
Chief Engineer.

S. SEYMOUR, Esq.,
Consulting Engineer Union Pacific Railroad.

No. 3.

OMAHA, NEBRASKA, August 14, 1865.

DEAR SIR: I sent by Saturday's mail, to Mr. Durant, estimates for grading and bridging from Omaha, *via* river line, to Station 366, of Mud creek line; of line down Pappillon to Missouri river below Bellvue; estimate for reducing Elkhorn grade, and of grading, bridging, and superstructure of first nine sections of old line, with maximum grade *west of Station 150* of forty feet per mile:

This last was indeed difficult to arrive at, with no experience in Nebraska as to such cuts as will be encountered by attempting to build old line with low grades. I have endeavored to avoid even the appearance of making an extravagant estimate, and on reviewing more at leisure to-day the prices of this estimate, I conclude I have been too anxious in that particular.

Were the copy I sent still in my possession, I would make additions as follows, without attempting even then to provide for all the contingencies that might possibly arise in the construction of this line:

Section 3: 460,000 cubic yards excavation, at 7 cts.....	\$32,200
Section 4: 785,000 cubic yards excavation, at 2 cts.....	15,700
Section 5: 97,000 cubic yards excavation, at 5 cts.....	4,850
Section 6: 305,000 cubic yards excavation, at 4 cts.....	12,200
Section 8: 148,000 cubic yards excavation, at 9 cts.....	13,320
Section 9: 374,000 cubic yards excavation, at 7 cts.....	26,180
	<hr/> 104,450
	823,466
Total in favor of Mud creek line.....	<hr/> 927,916

But the amount in the estimate (\$923,466) is undoubtedly sufficient to satisfy any one of the utter impracticability of reducing grades to forty feet on the old line.

Regretting the necessity for delay in furnishing all the information asked by Colonel Simpson, I hope you will soon be in receipt of it.

In note attached to estimate sent to Mr. Durant I left out "*west of Station 150*" after "*maximum grade of forty feet.*"

Respectfully yours,

Colonel SILAS SEYMOUR.

D. H. AINSWORTH.

APPENDIX D.

No. 1.

NEW YORK, August 19, 1865.

COLONEL: The profiles which have been recently received illustrative of the surveys I directed in relation to the question of the proper route for the railroad west from Omaha not being in proper form for final use in the discussion, I desire that these and all the other profiles bearing on this subject may be perfected with the least possible delay, and, with the map, be forwarded to me at Washington.

I would also suggest, that should the company determine to amend the Mud creek location by connecting it with the line recently surveyed by Mr. Ainsworth from Omaha, down the bottom of the Missouri valley, and thence to the valley of the Elkhorn, with ruling grades of 30 feet to the mile, ascending both eastward and westward, it is important that I receive the assurance of the company to that effect, so that my reasoning may apply to the new line so amended, and not to the line as laid down on the map accompanying your argument.

I am, colonel, very respectfully, your obedient servant,

J. H. SIMPSON, *Lieut. Col. Engineers.*

Colonel SILAS SEYMOUR,

Consulting Engineer Union Pacific Railroad Company.

—
No. 2.

UNION PACIFIC RAILROAD COMPANY,

Secretary's Office, 13 William street, New York, August 28, 1865.

COLONEL: In order that you may more fully understand the policy of this company in regard to the location of the road between the Missouri river and the Platte valley, I beg leave to submit the following statement:

The interests of the stockholders, the bondholders, the public, and the government, demand that the line should be so located as to insure the most safe, rapid and economical working of the road when completed.

The line as originally located shows heavy grades and sharp curves, which, although they may not prove a serious objection while there is but a small traffic over the road, will become formidable whenever the traffic is increased, and add largely to the expenses of working the road, as well as increase the liability to delays, accidents, &c.

The directors of the company would therefore be sadly lacking in their duty to all parties interested, if they did not use every endeavor so to locate the line in the first instance as to admit of such modifications and improvements hereafter as the wants of the company and the public may require. To reduce these grades on the old location, to the same extent that can be easily adapted to the new, can only be done by an expenditure of time and money that renders it utterly impracticable.

In adopting the new line, it was the policy and intention of the company not only to insure, in the first instance, a line with a considerably less amount of maximum grades, and therefore much more economically operated, but one that can still further be improved whenever the interests of the company or the public require it, at a comparatively trifling expense.

That this is the true policy of the company is too palpable to admit of a doubt, and the board of directors could not consistently neglect to carry out the same.

I am authorized to assure you that these are the only motives which induced the change of line, and that the policy of the company, as above indicated, will be faithfully carried out in the event of the approval by the President of the United States of the amended location submitted to him through the Secretary of the Interior, on the 12th May, 1865, and it is intended to embrace all the advantages to be gained by the line down Missouri bottom several miles, and thence across the bluffs, connecting with Mud creek line, as recently surveyed by Mr. Ainsworth, as well as the future adoption of a thirty-foot grade into the valley of the Elkhorn.

In case the original line is adhered to by the President, it will be necessary for the company, before the traffic of the road shall have reached one-third of its capacity for doing business west of the Elkhorn river, to construct another road from the Elkhorn to Omaha, or find another terminus on the Missouri river.

I have the honor to be, colonel, very respectfully, your obedient servant,

THOMAS C. DURANT, *Vice-President,*

By order of Executive Committee.

Lieut. Colonel J. H. SIMPSON,

U. S. Engineers, Washington, D. C.

—
UNION PACIFIC RAILROAD COMPANY,

Secretary's Office, 12 William street, New York, August 29, 1865.

The foregoing communication, under date of August 25, 1865, addressed by T. C. Durant, esq., vice-president of this company, to Colonel J. H. Simpson, United States engineers, respecting the policy of this company in regard to the location of the road between the Missouri river and the Platte valley, having been submitted and duly considered by the executive committee of the Union Pacific Railroad Company, is hereby fully approved. In witness whereof the secretary of the company is directed to affix the corporate seal of the company.

[SEAL.]

I certify that the above is a true copy from the minutes of the executive committee of this company.

CHARLES TUTTLE, *Secretary,*
Per B. F. BUNKER, *Assistant Secretary.*

APPENDIX E.

OMAHA, July 12, 1865.

DEAR SIR: At your request to embody in writing the suggestions that in various conversations I have made in regard to the location of the Union Pacific Railroad from Omaha to the Platte valley, I submit the following:

The original location of the road was made by the company after the profiles and surveys of six different routes had been submitted:

- 1st. From the mouth of the Platte river, following the valley.
- 2d. From Bellvue up the West Pappillon.
- 3d. The south or located line from Omaha west.
- 4th. The north line from Omaha, up the Military creek, down Saddle creek into the Pappillon, up its valley to a point nearly east of Frémont, and down Plum creek to the valley of the Platte.
- 5th. From Florence westerly.
- 6th. From a point on Fish creek, between Desoto and Cuming City, and across into the fourth line.

These surveys, I assume, furnish all the information required to decide the route, and all now in possession of the company, except that much of line between Station No. 150 and the mouth of Mud creek, on the survey of the route recommended by Mr. Seymour, consulting engineer.

I do not mean that all these lines were not susceptible of improvement in detail, but that in the main they covered all I claim for them.

In the proposed change of location Mr. Seymour changes the line from Station No. 150 to Station No. 900, and in this distance of fourteen miles he increases the length of the line nearly nine miles, and reduces the maximum grades, evidently through inadvertence, in the comparison, he calls it, nine in twenty-three miles.

He then submits a statement to four prominent railroad managers, asking them (I do not quote his language, but you can judge whether I state it fairly) which of two lines, as practical men, they would adopt: one of twenty-three miles in length, with maximum grades of eighty feet per mile, or one of thirty-two, with maximum grades of forty feet, at the terminus of a road several hundred miles of which have no grades to exceed ten feet per mile?

The answer of each of these gentlemen is the longer.

It seems to me that this question should have been stated (as an examination of the profile shows the grading to be done on the line Mr. Seymour advises) whether, with the maximum grades of sixty-six feet going west, and seventy-nine and twenty hundredths going east, on either side of this divergence, it would be expedient for the company to increase the length of their road nine miles in going fourteen to get rid of the like grades on portions of the intermediate fourteen miles?

It is fair to presume that their answers would have been as different from what it is as are the propositions submitted.

It may be urged that these grades will ultimately be reduced. The easy excavation of the ridges between Omaha and the Elkhorn river renders the reduction of the intermediate grades practicable.

In fact, the instructions of Mr. Durant, the acting manager of the road, when directing the adoption of the highest grades on the direct line, were coupled with the explanation that when the business wants of the road required a reduction of grades, the haulage of the material would be done with cars, and thus the largest item in the cost of reduction would thereby be very much less than if attempted in the first construction of the road.

You are familiar enough with the history of the leading roads of the older States to know that large amounts are being expended to shorten distance. The New York Central and the Michigan Southern roads have each built more than one hundred miles of new road to shorten their lines twenty-two miles.

The ascent of the Platte valley from the mouth of the river to the one hundredth meridian of longitude is, on the line run, a distance of more than two hundred and fifty miles, about six feet per mile. Our survey shows that this much road may be built with no grade to exceed ten feet per mile.

An engine, according to Mr. Seymour's table, would draw from this, as a terminus, fifty-six loaded cars this entire distance on a forty-foot grade, for which he lengthens his road nine miles; its maximum load would be twenty-five; on an eighty-foot grade thirteen; or the relative power of an engine is not quite twice as much on a forty-foot grade as an eighty, but more than twice as much on a ten-foot grade than on a forty.

Supposing the increased line to be all that it is claimed that it may be made, the same argument would more than justify the increased distance required to follow the Platte valley.

In this I leave out as an element the cost of construction, which would be less per mile than on any other route, and yet I assumed in my report, and I think correctly, that the addition of eighteen miles would prevent it from comparing favorably with the other routes.

On page 4 of Mr. Seymour's report he uses the following language: "The maximum grade ascending westerly between Station No. 0 and Station No. 150, the proposed point of divergence, is also sixty-six feet per mile; this portion of the line is nearly graded, and it is proposed not to change it at present, but it is assumed that it will be changed hereafter to correspond with the maximum grade that may be adopted in ascending the valley of the Pappillon. This question is reserved for future consideration, with a view, however to such future change it is recommended that for the present as little money as practicable be expended in grading the valley of Mud creek, between Station 150 and a point where a line with moderate grades in both directions would naturally leave this valley to enter the valley of the Missouri river."

I can interpret this language, guarded as it is, in no other way than that Mr. Seymour advises the company to use his route for the present, and until the business of the road is increased sufficiently to require lighter grades, then to make the eastern outlet at or near Bellvue.

If this be the legitimate meaning, it is clear that the eastern part of his line is merely a temporary accommodation to Omaha, and the whole line out of any fair comparison, except as a part of a line from Bellvue to the Elkhorn river, and the discussion must come back to the located route from Omaha and the line from Bellvue.

On these lines, before the company had taken any action, I committed myself most unequivocally, as an engineer, in favor of the latter, as you will see by reference to my report.

If the company erred in their location, it was with the facts fully before them; how far outside influences, importance of the points interested, political considerations, prospective eastern connexions, or other causes, weighed with them. I cannot tell.

The location was filed, and the business interests of western Iowa and Nebraska began to accommodate themselves to it, when the change was ordered. Its effect has been to unsettle everything, and leave a deep feeling of distrust as to what may follow.

It makes comparatively little difference how questions of this kind are settled, provided that when done they are settled permanently; and although a change of terminal point and route would work financial ruin to many men, and render the property in these towns utterly valueless, yet the enterprise and energy that have built on the frontier Council Bluffs and Omaha, under so many disadvantages, will in a few years build up other points equally important at the terminus of the road.

There is an elasticity in the west that enables men to recover rapidly from financial misfortune; still the policy of government has been to cherish rather than cripple individual enterprise.

For this reason it is to be hoped that no course will be pursued by the company, or allowed by the government, that will add temporary importance to these places, with a view of eventually leaving them one side.

I trust that when your report shall have been acted upon, no question will ever again arise as to where the terminus of the Pacific Road will be.

Respectfully, yours,

PETER A. DEY.

Colonel J. H. SIMPSON,
Engineer United States Army.

Since writing the above, it has occurred to me that the direct line of the New York Central road from Syracuse to Rochester is only eighty miles; the old road over one hundred. Having no means of ascertaining accurately, I refer to it with a view of having nothing in this, either in statement or inference, that will not be sustained by facts. It does not affect the argument, if it is only eighty miles of new road built to save twenty-two miles' distance.

I have quoted Mr. Seymour as the authorized exponent of the views of the company. They published his report, and acted upon its suggestions, and they cannot, by denial, separate their policy from the legitimate inferences to be drawn from the report.

P. A. D.

APPENDIX F.

No. 1.

ST. PAUL, Minn., August 5, 1865.

SIR: I received to-day, under your frank, from Washington, the enclosed communication from a committee representing the people of Council Bluffs and Omaha, relative to the proposed change of line of the Union Pacific Railroad.

They are gentlemen of the highest respectability and character, and the statements which they make can be verified by the most irrefragable proof.

You will see that they express an earnest desire that Peter A. Dey, esq., be invited to Washington to give his testimony relative to the survey, location, contract for first 100 miles, &c., &c. Mr. Dey made all the surveys for the road which ever have been made, and his statements will therefore be intelligent as well as truthful.

You will remember that I urged the propriety of summoning Mr. Dey when I was in Washington. I trust that you may concur in the propriety of this course. His visit will be without expense to the government.

Very truly, your friend,

E. B. TAYLOR.

Hon. JAMES HARLAN,
Secretary of the Interior.

P. S.—Mr. Dey will be reached by letter or telegram at Iowa City.

No. 2.

OMAHA, NEBRASKA, July 17, 1865.

Representing the joint interests of Omaha and Council Bluffs in the matter of the location of the terminus and route westward of the Union Pacific Railroad, we, the undersigned, respectfully state:

That only an *ex parte* showing was made by Silas Seymour, consulting engineer, and others, acting in interest of Thomas C. Durant, vice-president, to Colonel James H. Simpson, who was detailed by the President of the United States to examine and report upon said road.

Now, therefore, we request that you see President Johnson, also Secretary Harlan, and ask that before final action upon the report of Colonel Simpson be taken, that Peter A. Dey, formerly chief engineer of the Union Pacific Railroad, be summoned to Washington for the purpose of consultation; and that, among other things, he be solicited to give such information as may be in his possession concerning the contract for the construction of the first one hundred miles of said railroad.

We have learned that Peter A. Dey, upon the order of Thomas C. Durant, to be used for purposes then unknown, had a carefully prepared estimate made for the construction of the first one hundred miles of road upon his survey, based upon a grade of forty feet to the mile, and providing for a ten-foot embankment up the Platte valley.

We have been informed, and we believe, that this estimate was used before the board of directors of said road (as it was before Congress, to obtain the amendments of last July, by which the company secured an additional issue of United States bonds, and right to borrow upon first mortgage a sum corresponding to the total amount received from the government,) for the purpose of so deceiving said directors as to obtain their sanction to the contract for the construction of the first one hundred miles, at fifty thousand dollars per mile—a sum double any fair engineering estimate of the cost of the road built upon the real plan adopted—so in excess of necessary cost that parties here representing a capital of over one million of dollars will enter into bonds and guarantee to construct the road upon a forty-foot grade, following the original route westward.

No respectable engineer will estimate the cost of grading in the Platte valley at over one thousand dollars per mile, there being no necessity of embankments, the Platte never overflowing, and out of the first one hundred miles under contract there are eighty miles that can be thus built, only leaving twenty miles of difficult construction, and (these twenty) presenting no more obstacle to a working grade than is overcome by nearly every important railroad in the United States.

We would state, further, upon information and belief, that the contract for the first one hundred miles was let upon the route, as filed and approved by President Lincoln, the grade whereof was sixty feet maximum, and changed to seventy-nine feet at the instance of Thomas C. Durant, said Durant being the principal party interested in the contract for the first hundred miles.

We would again state that, by the proposed change from the legally located route, the road is lengthened nine miles in fourteen, and not nine in twenty-three, as per printed report of Silas Seymour.

The contract for construction being made as mentioned, the change of route, if accepted, inures to the benefit of the contractors, at the expense of the United States, and to the manifest and great injury of the Union Pacific Railroad Company.

If the contractors are responsible they should be compelled to make their contract good, or, in default thereof, the contract should be given to other parties.

If this is done, the United States will save both bonds and lands for a distance of nine miles, and the Union Pacific Railroad the expense of maintaining nine miles of extra and unnecessary road.

We have the honor to be, very respectfully, yours,

GILBERT C. MONELL,
ENOS LOWE,

Committee appointed by the citizens of Omaha, N. T.

SAM'L CLINTON,
SAM'L HOUS,
THOS. JEFFERIS,

Committee appointed by the citizens of Council Bluffs, Iowa.

Hon. E. B. TAYLOR, Washington, D. C.

No. 3.

WILLARD's, August 21, 1865.

DEAR SIR: I called on Colonel Simpson this morning and learn that his report will not be finished for three weeks. My business will prevent me from remaining so long. I waited to see you in the office of chief clerk from ten to half past twelve, when the porter informed me that you would see no one to-day.

I will leave the city on this evening's train. My address is Iowa City, Iowa.

The change of location is a simple question, and amounts to this: With maximum grades immediately east and west of the proposed change of line, should the length of road be increased nine miles in going fourteen to avoid maximum grades on portions of the intermediate distance? Another question would be: Can the extreme or maximum grades be reduced on the direct line; and if so, how would the cost of such reduction compare with the average cost of grading railroads in the older States? Any communication in regard to this matter will receive immediate attention.

Respectfully, yours,

PETER A. DEY.

Hon. JAMES HARLAN.

I refer to the road as now graded, and assert that the maximum grades are not done away with by the change. Colonel Seymour's report obtains opinions of experienced railroad men, but asks their views on a supposition, not on facts as they exist.

APPENDIX G.

OMAHA, NEBRASKA, July 10, 1865.

SIR: Having been selected by a meeting of citizens of this city as one of a committee to confer with you, (as the representative of the government in the examination of the two routes leading in a westerly direction from Omaha,) and wishing to avoid any unnecessary consumption of your time by a protracted conversation with you in respect to the matters claiming your consideration, I have thought proper to present to you, in writing, such facts as I have deemed it important to lay before you touching the question of the original location and the proposed change of line of the Union Pacific Railroad Company. They are as follows:

1st. The Union Pacific Railroad was located at Omaha by President Lincoln, at the urgent solicitation of its present management, and in accordance with the convictions of the President, who had been upon the ground, (at Council Bluffs and Omaha,) and who never hesitated to express his conviction that Omaha was the *natural outlet* of the valley of the Platte river.

2d. The route from Omaha west, as originally filed by the company in the Department of the Interior, was deliberately determined upon and selected after all of the various surveys from the Missouri river had been completed and reported upon by Peter A. Dey, esq., engineer in chief, and the proposed *change* was attempted before any survey had been made, *subsequent to the original location*, indicating its *policy* or *necessity*.

3d. The newly proposed route diverges from the old line at Station 150 west from Omaha, and unites with it at Station 900, performing a circuit or angle between the two stations by which the distance is increased nine miles in fourteen.

4th. If it be said that this deflection from a comparatively straight line is justifiable upon the ground that it avoids a maximum grade of 79³⁴/₁₀₀ feet to the mile, and secures a grade of 40 feet instead, it may be replied that west of Station 900, upon the line as at present proposed, there is a grade of 79³⁴/₁₀₀ feet per mile, and that this grade is 4,000 feet long.

5th. The increased distance of nine miles by the proposed line will cost the government \$144,000 in money, and 180 sections of land, while it will entail upon the company the necessity of maintaining, for all time, nine miles of road, the annual depreciation of which, in iron and ties, will reach very nearly ten per cent. of their original cost, to say nothing of the wear and tear of the machinery in operating it.

6th. In the consideration of the question of grades on that portion of the line lying between Omaha and the Elkhorn river, it is proper to consider the additional fact that it is but a part of the line reaching from Sacramento city to the Missouri river, and that there will necessarily be many grades west of the Elkhorn, the maximum of which will exceed 79³⁴/₁₀₀.

Such are the prominent facts, as they present themselves to my mind, bearing upon the important question referred to you. There are other considerations, which, in my judgment, are entitled to weight in determining the proper line to be adopted. Among these may be mentioned:

1st. The general direction of the Platte valley produced will strike the Missouri river at Omaha.

2d. Council Bluffs and Omaha contain an aggregate population of about 10,000, with their business relations with the west established, and a commerce opened with the mining districts of Colorado, Idaho, Montana, Utah, &c., which cannot fail to constitute an important element in the prospective business of the Union Pacific railroad. The adoption of the proposed change, with the ultimate view of leaving the Missouri river at some other point, would be positively ruinous to all the business and commercial interest of both towns, and bankrupt their people, who have been pioneers in the settlement of this portion of the west.

3d. When the initial point of the road was "fixed" by President Lincoln at Omaha, at the request of the company, the people regarded the question of terminus as settled, and relying upon the good faith of the government, they invested their means in real estate and in improvements, which this proposed change of route would render absolutely worthless.

4th. After the route, as originally located, had been adopted, citizens of Omaha, in order to secure an advantageous location of depots, &c., at the request of those gentlemen then and now managing the affairs of the company, made conveyances of real estate to "Thomas C. Durant, trustee," &c., (for the company,) amounting, in the aggregate, to the value of two hundred thousand dollars. The proposed change of route (no matter whether it eventually works a change of the initial point or not) will throw such a shade of doubt and uncertainty over the value of real estate in Omaha as to take from these donations all of their supposed value, and leave the people who made them without remedy.

It is a fact, (doubtless within your knowledge,) that railroad companies in the eastern States, whose capital is furnished exclusively by individuals, have been in the habit of making cuts through solid rocks from fifty to eighty feet in depth, in order to avoid circuitous routes and obtain favorable grades. How much greater is the propriety and necessity of expending a reasonable sum to secure a direct line with easy grades upon a great national thoroughfare, intended to unite the Atlantic with the Pacific ocean, and which has been endowed, through the munificence of the general government, with hundreds of millions of dollars in money and large grants of the public lands. Surely, at the present contract price of the first 100 miles of the Union Pacific Railroad, a direct line with easy grades should have been secured upon the route as originally selected by the company.

Another fact, and I have done.

There are three important lines of railroad now in process of construction across the State of Iowa from the Mississippi to the Missouri rivers. One of these roads reaches to the Missouri river, by the terms of its charter, a short distance north of Omaha; the middle line at Council Bluffs, (directly opposite Omaha;) and the third, at a point only twenty miles south. It is clear that all of these roads will be better accommodated with Omaha as the initial point, and the Union Pacific Railroad constructed from "thence west upon the most direct and practicable route," (as the charter expressly requires,) than in any other manner. To so far vary it as to increase the distance nine miles in fourteen, when the material to be excavated is so easily removed, and leaving, beyond the point where the new line is to unite with the old one, a grade nearly three-quarters of a mile in length, scarcely less than the grade which is avoided in making the extraordinary curve, is, in my judgment, not justifiable upon any principle of wisdom or economy.

I will state to you a fact which is perhaps just as well known to yourself as to me, that, in order to straighten its line and reduce its grades, the Little Miami Railroad Company in Ohio, within a distance of twenty-five miles from the city of Cincinnati, have expended, within the last ten years, at least one million of dollars. If a company of private individuals can make such an expenditure, to save less than nine miles in distance, as a matter of economy in the working of their road, I respectfully suggest, for your consideration, whether a company like the Union Pacific cannot afford to incur a smaller expenditure in order to secure a direct line upon a thoroughfare which is destined to become the highway of nations, especially when it has been so liberally and generously aided by the general government.

With assurances of my personal regard, I am, sir, very respectfully, your obedient servant,

E. B. TAYLOR.

Lieutenant Colonel J. H. SIMPSON,
Engineer Corps, U. S. A.

APPENDIX H.

GENTLEMEN: Understanding that your mission here is to ascertain all the facts bearing upon the proposed change in the route of the Union Pacific Railroad near this place, the undersigned, a committee representing the commercial and financial interests of Omaha, and also of the stockholders residing here, would respectfully solicit your consideration to the following observations:

The charter for the Union Pacific Railroad was granted by Congress after years of careful investigation and discussion of all the national and local interests involved in this great work.

The preliminary organization by incorporators was conducted on a strictly national basis. In due time the financial organization was also perfected and detailed surveys of four different routes were made by the chief engineer of the company, and after deliberate examination of grades, distances, interests, &c., Omaha was selected by the board of directors, and on a statement of surveys and facts submitted by them to the President of the United States, their choice was confirmed by him, and by his proclamation became, as all believed, the permanent eastern terminus of the central branch of the road.

Maps were filed in the office of the Interior Department fixing the location of the line for 100 miles west from Omaha. Public lands were withdrawn from market on the located road as announced by the Secretary of the Interior in his annual report, and by the President of the United States in his annual message.

Previous to this, Omaha and Council Bluffs had grown rapidly as central points of western promise. The location of the road gave a new impulse to enterprise: rapid improvements were made and a large amount of capital invested, with full faith on the location as permanent.

Had this road been a private enterprise, subject to the control of a few men, liable, as such roads are, to be used or abused for the building up or overthrow of outside interests, we should have waited until the completion of the road for at least forty miles before risking much on its promised benefits.

But knowing the location of the terminus and the line for 100 miles to be fixed by the President, as we believed, beyond change, we invested largely in view of the business which must necessarily result from the completion of the road.

In this view of the case, the citizens of Omaha had guaranteed to the railroad company, that in case the railroad was built within certain limits of the city of Omaha, and continued west in good faith, they would secure, free of expense to the company, right of way through the city for all necessary tracks and sufficient grounds for all buildings required for the terminus, besides some 500 acres of bottom land lying between the Bluff and the river.

In addition to this, private individuals had subscribed on the same terms about 700 acres of valuable country lands. Working surveys were completed, contracts for the first 100 miles were agreed upon, and the business of Omaha began at once to adapt itself to the future development thus inaugurated. About this time an agent of Mr. T. C. Durant called upon citizens who had subscribed the land above mentioned, to convey the same to Mr. Durant in trust. A majority of the donors regarding the terminus as fixed beyond any possible change, and the commenced work on responsible contracts as sufficient promise of a speedy completion, did convey their lands to Mr. Durant as required. Others, somewhat alarmed by rumors that Mr. Durant was contemplating a change of terminus, hesitated until more work was really done, and especially until some buildings were commenced, such as a road required at its terminus. Upon the positive assurance, however, that these buildings were under contract, and that Omaha as a terminus was considered fixed, nearly all conveyed to Mr. Durant the lands as agreed, a few still hesitating until forty miles were complete.

About this time Mr. Dey, their chief engineer, who directed all their surveys, resigned, as we are informed and believe, because he could not honestly sanction the large prices allowed to contractors for constructing the road. Almost immediately work was suspended on the direct route; and commencing at Station 150, a diverging line was located running east of south some six miles, where, intersecting the old route from Bellvue as surveyed by Mr. Dey, it returned by that survey to the direct line from Omaha; a circuit of 22 miles was thus substituted for a direct line of 13 miles.

The avowed object of this change was to reduce the grades to an average of about 40 feet to the mile, or about 20 feet less than the old grade on the direct line. We will not presume to question the engineering argument upon which this change was made. The fact, however, is, that immediately east of the point where the new route diverges from the located line, and also immediately west of the point of returning intersection, the grades are as long and as impracticable as any avoided by the nine extra miles of curvature.

It is true, as affirmed, that the western grade may be removed by work, and so may the eastern one at Omaha, but not by any plan of expenditure or economy which appears in the argument of their consulting engineer, as used against reducing the grades avoided by the nine-mile curvature.

Hearing new rumors of a change to Bellvue, together with the evident fact that the new route could be converted into a Bellvue terminus at any time, and fearing that the former refusal of a few individuals to convey lands as agreed might be a cause of offence, we telegraphed to Mr. Durant as follows:

“OMAHA, February 3, 1865.

“Citizens here will fill all their agreements in relation to right of way and donations, except a very few, particularly if assured by you that change of location to Sarpy county will not prejudice the interests of Omaha in regard to eastern connexions. Can you give such assurance?

“A. KOUNTZE.

“T. C. DURANT.”

Mr. Durant replied as follows :

"NEW YORK, February 4, 1865.

"A. KOUNTZE: The line has been changed to avoid heavy grades, not with the intention of interfering with terminus. See Engineer's reports.

"T. C. DURANT."

Shortly after this, however, works contracted for here were suspended, and preliminary steps taken to remove the same to Bellvue. Boats loaded with iron, on their departure from St Louis were ordered to land it at Bellvue.

Mr. Durant was again addressed and informed of our increased alarm, and assured that we would not oppose the new route if work was resumed at once here, and we could have his promise of its performance.

He replied :

"NEW YORK, June 1, 1865.

"To E. CREIGHTON: Omaha is all right. Mr. House has my reason for making the change which I regret as much as you can do. If Secretary Harlan insists upon the old location, we submit, but shall build from Bellvue first, and finish line on old location thereafter. If Congress does not release us we shall lose through business on the high grades, and must cross the river elsewhere. Consequently need no buildings at Omaha.

"T. C. DURANT."

These high grades on which he proposes to build the line as first located are not the grades determined by Mr. Dey, and contracted for at \$50,000 per mile, but a maximum grade of 116 feet to the mile.

This latter alternative was stated by Colonel Seymour, the consulting engineer, to a committee of inquiry in Council Bluffs, and also to this committee. In other words, that unless Congress would compensate for the nine miles of curvature he would comply with the charter and build the straight line from Omaha, but on such a grade as to render it useless. This end was to be attained, as we are also informed, by extending his nine-mile curvature to Bellvue. Buildings, such as are usually erected at the terminus, were to be erected twenty miles west of Omaha, near the Elkhorn river, at which place he proposed to divert the great national highway of the nation from its central connexions to be a side feeder to his own schemes. Even yet wishing to reconcile this matter, if possible, Mr. Durant was again addressed as follows :

"If the new route is made, will you go on with buildings at Omaha, and make this the only point of crossing the river? If so, citizens of Omaha will aid you on the new line."

He replied: "We will consult the interests of the road, whether citizens of Omaha aid us or not. We have had enough of interference. You will destroy your last chance for a connexion. Cedar Rapids road will cross above you, and you can have no eastern connexion. The line west will do you no good. I can connect the Mississippi and Missouri with the Cedar Rapids road and run to De Soto for a million dollars less than go to Omaha."

Owing to some mismanagement, the freight agent of the Pacific railroad at Omaha had been informed that the boats loaded with iron had left St. Louis for Omaha, and to receive the freight. Having no notice of any change of intention, he could not receive at Bellvue or pay freight there. It was consequently landed at Omaha, and the construction of the road is now apparently commenced here. In view of this whole procedure, we can see nothing but a covert design to change the terminus for speculative purposes, or by holding it subject to change expose to present loss and future peril a large national and commercial interest, depending upon this work as now located and being conducted in honesty and good faith.

We are more confident of our cause in this matter because we know the road was located on ample and competent surveys, the correctness of which are not disputed, nor have any new facts or surveys since been obtained to warrant so important a departure from the located line. We know also that the contract for the first hundred miles was made, and a considerable amount of work done before this change of route was announced. Nor can there be a shadow of doubt that the first forty miles of the road could now be in active operation if the plans and surveys first contracted for had been executed.

We call your special attention to the fact that the nine miles of curvature does not reduce the first twenty-two miles to a maximum grade of forty feet per mile, as intimated in the report of the company, and upon which statement all the conclusions are based. It does not thus reduce even the first thirteen miles. It is the middle thirteen miles of the whole twenty-two that are thus avoided by the extra nine miles of road; the balance at either extremity of the curve remaining still open to all the objections so strongly urged against high grades.

But if it is really desirable to reduce the grade of the first twenty-two miles to forty feet per mile, we believe that the government gifts and immunities are abundantly sufficient to construct the first one hundred miles on any necessary grade, without using a single dollar of the subscribed stock. Eighty miles of this one hundred can be graded for \$1,000 per mile. Only twenty miles at the eastern terminus requires any considerable work, and even

his is not greater than entire lines of roads crossing Iowa, nor as much as other roads the United States meet with and overcome without any government aid whatever. \$50,000 per mile, the price given to contractors for the first one hundred miles of this road as first located, is regarded here by good judges of such work as at least double a just and profitable compensation. Good men living here, and perfectly responsible in sufficient bonds, will agree not only to construct this as required by the first contract, but will for the same price obligate themselves to construct it on a maximum grade of forty feet per mile. If a grade of forty feet is, therefore, proper, and the Union Pacific Railroad can obtain this grade only by building nine miles extra of road, costing the government \$150,000 extra for bonds and perilling large vested interests, as well as common faith, then we ask that others be allowed to construct the work as the charter and pledged faith requires. It is fully experienced here that Mr. Durant desires to intimidate Omaha and Council Bluffs into passive submission, and equally clear that this proposed nine miles of extra structure, which he claims as a necessity, is simply a scheme for speculation at the expense of government, as well as other important interests.

He has, in defiance of located routes and charter obligations, constructed nine miles of road unauthorized by any charter, and not demanded by any real or permanent legitimate interest. This nine miles can at any time be perverted by an unscrupulous management, so that not only Omaha and Council Bluffs, but all the central interests of Iowa and Illinois, instead of enjoying the rights and benefits guaranteed in the charter and the President's location, will be subject to the speculating schemes of a management not governed by mercy or justice.

The projected divergence, and the threatened use to which that divergence may be applied, has already injured, to a considerable amount, the large railroad and commercial interests which relied in good faith on the permanency of the President's location. But great as our loss has been by the construction of this new line, and the threatened use to which it may be applied at some future day, we greatly prefer that Mr. Durant should take the terminus at once to Bellvue, than either to intimidate us for the future, or lull us into a false confidence which may be fatal. If Omaha is not entitled to the initial point as located by President Lincoln, or if the fixed line of direction west can be so changed as to render the initial point useless as a terminus, let the permanent change of terminus be made at once. If every demand that hereafter may be made upon two considerable cities is to be enforced by a threatened terminus at Bellvue, let the issue be joined now, and the threat, if possible, be executed now, before capitalists are more largely involved. We beseech you, that you condemn us not to be the victim of this nine-mile curve. Compel the managers of this road to construct suitable buildings and a suitable road on the straight line, and we care not how many private lines Mr. Durant may build for his own purpose; but we most earnestly protest against government bonds being appropriated to a good grade on private line, and allow the Union Pacific railroad to be sacrificed by a grade of 116 feet.

We are exceedingly loth to condemn the management of this road, and have long hesitated to do so, though, as we now see, it should have been done long ago.

We saw the initial point settled, and the early knowledge of that fact so used as to realize large fortunes by the rise of certain railroad stock. We then saw an attempt or a pretended attempt, as we then supposed, to change the initial point some 20 miles north, and the stock of another road rose and fell.

President Lincoln was even applied to at about this time, whether on pretence or reality we know not, to reconsider the location. He replied, however, "that when he located the terminus and accepted the line of the 100 miles, his functions under the act of Congress ceased, and the location became law." Notwithstanding this, we now understand that the managers of this Bellvue curvature pretend that Mr. Lincoln, just before his death, sanctioned the new line. We think our own testimony on this satisfactory that Mr. Lincoln did not change either the location or his belief that his location had become a law.

Again, a threat of a change from Omaha to Bellvue, or the fact of a change of line around this nine miles of extra curve, and the subsequent destruction of large interests in two considerable cities, is not the only or most serious cause of alarm.

The danger not only arises from the place or the distance to which the terminus or the line may be removed, but the fact that the management of the road claim and exercise the right to make any change. If they can change the initial point to Bellvue, they can go to Platte-mouth or Nebraska City for the same purpose and on the same authority. If they can change 13 miles of a located line in one place, they can do the same elsewhere, and of all the settlements and investments up the Platte valley for 100 miles, made on a full reliance of the permanence of this location, not one has any assurance of success or security for future enterprise. Instead of the promised protection and encouragement of a beneficent government, they are subject to spoliation from an unscrupulous moneyed monopoly.

It has ever been the policy of the government to patronize and assist in the development of new Territories. New States and Territories secure large donations of lands, and every new settler receives his farm. Infant settlements are thus encouraged. Border settlements are protected until the pioneer, a hundred miles from other habitation, feels safe in the faith of a complete protection from his national government. New roads are chartered, not only that produce from old settlements may find its way to market, but that new and distant regions

may find proper development. It is by this fostering and protecting policy that new States have grown to wealth and influence, and new Territories are rapidly following their footsteps.

Small as the population of this Territory now is, its futuro and its immediate future, as secured by this Pacific railroad, is of unbounded promise. Small as the population now is, it is great in view of its recent organization. Ten years ago the savage hunted his game where the farmer harvests his crops, and held his council fires where cities of 5,000 inhabitants now live and prosper.

Omaha, the capital of Nebraska, grew rapidly as the natural outlet for the central travel and traffic from California to New York—this and the location and promise of this road has even now centred here a wealth and influence that many cities fail to acquire after generations of more tardy progress.

Council Bluffs, representing central western Iowa, is in the same relative position. It is not, therefore, important, as intimidated by the managers of the Bellvue curve, for these cities to insist that the Union Pacific railroad shall not violate faith once pledged or traffic with a national work and national faith for individual gain.

Previous to the location of the road Omaha and Council Bluffs had only argumentative rights or advantages; but when, after a full discussion of all the interests involved, the road was located here by President Lincoln, and that location became law, the claims and privileges of Omaha became "vested rights." When the location was doubtful, prudent men waited; but when the President located the road the most prudent had confidence.

These vested rights cannot now be taken away or subjected to uncertainty without great injustice and financial distress.

We ask no unfair favoritism; we ask for no undue consideration; but having for two years invested our means with full confidence and trust in the government protection thrown around this enterprise, we ask that we may not now be turned over, bound hand and foot, to the tender mercies of railroad speculation. If we must lose the promised advantages of this road, let us lose them now; but if retained now, let it be fixed beyond change, without good and sufficient cause.

ENOS LOWE,
GILBERT C. MONELL,
Committee.

Colonel J. H. SIMPSON,
Corps of Engineers.
Hon. SPRINGER HARBAUGH,
Gov. Com. for U. F. R. R.

E. B. Taylor, one of the committee, leaving town before the final action of citizens, communicated his personal views before he left.

Since writing the above, which is based upon the published report of Colonel Seymour, the consulting engineer of this road, and advising this change and the statements and acts of Mr. Durant and other managers, we learn that Colonel Seymour now proposes to obviate some of the objections to his former nine-mile curve, by extending it from the Pappillon creek, east through or over the bluffs to the Missouri valley, and reach Omaha by running north along the river, instead of up Mud creek, as first proposed. This would, it is true, avoid cutting down the two miles between Omaha and Mud creek to a 40-foot grade; but as it would involve the entire loss of the Mud creek line and the Omaha grade, some eight miles in all, and involve the construction of 8 or 10 miles of new road, and a tunnel or deep cut of about 150 feet grade through the bluff, we believe the plan was devised only for map illustration, especially as we also know that no survey has yet been made to determine whether the route be even practicable.

APPENDIX I.

UNION PACIFIC RAILROAD COMPANY,
President's Office, 13 William street, New York, September 6, 1865.

DEAR SIR: Through the kindness of the Hon. Springer Harbaugh, a government director in this road, I have been furnished with a copy of a communication addressed to yourself and Mr. Harbaugh by Messrs. Enos Lowe and Gilbert C. Monell, (who claim to be a committee representing the commercial and financial interests of Omaha, and also of the stockholders residing there,) in relation to the location of the Union Pacific railroad west from Omaha, and other matters connected with that road. Supposing, from the contents of this paper and the style and manner of its address, that it is intended that you should transmit it with your report to the Secretary of the Interior, I consider it my duty to call your attention to a few of the many erroneous statements which it contains; also to request that this letter may be appended to the said communication, although I am not able to see why either communica-

tion should affect the question at issue, and am extremely reluctant to notice or refer to the complaints or censure of disaffected employes, or parties rendered hostile because a great work cannot be made to serve local interest. Many of these questions come under the province of the directors, in which the government are represented by five members, and not particularly within that of the President or the Secretary of the Interior. In order to save time, I will not quote at full length from the communication, but merely notice and refute some of the misstatements that occur, in their proper order.

1st. *Withdrawal of lands.*

The preliminary location of the first one hundred miles was filed in the Department of the Interior by the vice-president of this company, upon a line traced for that purpose, did not purport to be a correct survey and permanent location; upon this the land was withdrawn from sale or pre-emption. Subsequently the line as located by the engineers was filed and approved by the President, upon the request of the company.

2d. *Surveys and recommendations of the engineers.*

By referring to the published "Report of the organization and proceedings of the Union Pacific Railroad Company," (Appendix 1a, pages Nos. 1 and 2,) it will be seen that Mr. Peter A. Dey, engineer in charge of surveys, reported upon six different lines, and states, with reference to the lines from Bellvue, "that for cheapness of construction and operation this is without any question the most desirable line."

3d. *Mr. Dey's connexions with the company.*

Inasmuch as frequent reference is made in the communication of the committee to the acts and opinions of Mr. Peter A. Dey, an engineer formerly in the employ of this company, it appears proper that you should be correctly informed respecting some facts relating to his former connexion with this road, as well as to the manner and cause of his leaving the service of the company.

Mr. Dey was never appointed chief engineer of the road; he was styled "engineer in charge of surveys."

In August, 1863, becoming satisfied the subscriptions to the stock of the Union Pacific Railroad Company would during the fall reach the amount required by law before perfecting the organization of the company, and foreseeing the same could not be accomplished in season to make any surveys during that year, and being fully aware of the importance of obtaining a definite knowledge of the topography of the country west of the Missouri river, opposite the State of Iowa, before any opinion could be formed as to the most suitable point for the eastern terminus of the road, as well as the importance of a more definite knowledge of the difficulties to be encountered in some of the mountain passes, I instructed Mr. Dey to organize engineering parties to survey several lines from the western border of the State of Iowa to a common point in the Platte valley, and also to despatch a party of engineers to examine and run a line through Cheyenne and Bridger Passes.

A copy of my instructions will be found in the printed report of the company, submitted herewith, page 39 and subsequent.

Mr. Dey being at that time in the employ of the Mississippi and Missouri River Railroad Company at a moderate salary, which company were willing to give him leave of absence, he was selected by me to take charge, because he had already some knowledge as to the character of the country to be examined, was favorably situated for making up the parties, there being several engineers formerly in the employ of the company, whose services it was thought he might obtain at once, and thus save time, and from motives of economy in the outset, his salary being continued for the time by the Mississippi and Missouri Company.

After the organization of the company his services were recognized, he was continued as engineer, and intrusted with the duty of commencing and carrying on the grading of the first forty miles west of Omaha. The prospect of his being able to complete the work within any reasonable time may be inferred from the following extracts from his correspondence:

April 2, 1864, he writes: "I find difficulty in getting bids on this heavy work, on account of the time for completing it; can you send some reliable contractors?" April 23, 1864, he writes: "I have telegraphed and written to all the contractors that I was satisfied we could rely upon, to bid on this forty miles of work." May 14, 1864, he writes: "It is impossible to do anything in the way of letting this work now without some provision for furnishing men. I had on my file of letters in February quite a number of applications for constructing. I had telegraphed or written every responsible contractor that we were prepared to receive proposals for this work. The uniform response has been that they were, with the present scarcity of men, afraid to take the work at any price, to be finished in a specified time. I do not know what to do. The question with me has been, whether it would be policy to import a thousand men, or more. We can work them to advantage for a long

while. I will write you again to-morrow, as I feel entirely discouraged." June 20, 1864. he writes: "Our experience has shown that it is useless to pay the expenses of men out here to do this work, as every train that starts for Banock City takes from the work from ten to twenty men to drive the teams. Sprague's Canada woodcutters have nearly all left. Portions of Williams's work has proved very hard, so much so that on the first of this month he threw up the job. He has lost since he started the work several hundred dollars per month, partly owing to material, and partly owing to the high price of labor and difficulty of getting work out of the men. I have not succeeded in letting the rest of the work. Our timber men have fallen off very much. I have no faith in getting men from Canada for that kind of work," &c., &c.

Finding from his correspondence that the necessary work of construction was not progressing to the satisfaction of the company, a contract was negotiated in August for the construction and equipment of the first one hundred miles west of Omaha.

The company considered this as the only chance of completing the heavy work west of Omaha and finishing one hundred miles in the time required by the act of Congress, nor have they since changed their opinion upon this subject. They have the right, whenever they find it to their advantage to do so, to cancel the contract by giving ninety days' notice of their intention and pay for the work so far as the same may have been performed. For a time they had a right to assume the work by giving five days' notice, but when the contractors had advanced more than one million of dollars, and had contracted to a large amount for material to be delivered, it was considered but just and equitable that sufficient time should be given to adjust and close up, as near as might be, unfinished portions of the work.

The company did not feel disposed to rely upon the judgment of Mr. Dey in the matter, and his position not being such as rendered it necessary that he should be consulted, his opinions were not asked either before or after its execution.

Subsequent to the contractors' taking possession of the work Mr. Dey was still retained in the employ of the company, and a portion of the disbursements made through him, and in October he was furnished with a copy of the letter and acceptance of the contract, which related to the character of the work, conditions, &c., &c., in order that he might understand fully what the specifications called for and to govern him in all matters pertaining thereto; further than this I do not think he has any knowledge of the conditions under which the contract was given, or agreements or modifications relating thereto.

It was intended that a portion of the work already commenced should be continued under the supervision of the company's engineer—he acting as disbursing agent—and the cost of same charged to the account of the contractors. Mr. Dey, therefore, continued to act in this matter, without alluding to the contract, until the early part of December.

In the mean time, a party had been sent to examine the affairs of the company at Omaha, and to look after the manner of keeping accounts, &c., and in reply to Mr. Dey's request for money for his monthly disbursements, the following telegram, sent only a few days previous to the date of his resignation, may or may not have influenced him in sending the same:

"NEW YORK, December 1, 1864.

"We want vouchers for your expenditures. When you have matters systematized in a business way, funds will be provided. Satisfy Mr. Henry's bookkeeper, and he can draw at sight.

"T. C. DURANT.

"P. A. DEY, Omaha, N. T."

Whether the company have done him injustice in disregarding his arguments in favor of the location he recommends, in not relying implicitly upon his ability in constructing, you, who have so recently examined the one, and the government director, who has condemned a portion of the other, (and which the company have already given orders to be rebuilt,) can easily determine.

Entirely without experience in the management of railroads himself, he has set up his individual opinion against those of the most experienced engineers and railroad men in the country, and seems to expect that the company will unhesitatingly adopt them.

In the month of October, 1864, the Hon. Jesse L. Williams, one of the government directors, and also an engineer of great experience, together with Colonel Silas Seymour, the consulting engineer of the company, visited Omaha for the purpose of examining the country and inspecting the work. Soon after returning to New York, they severally recommended the company to change the location of the road between Omaha and the Platte valley so as to avoid the maximum grades of 80 feet per mile upon the line being constructed, and substituting therefor a line with maximum grades of 40 feet per mile.

While investigating this subject and collecting the necessary information for his report, Mr. Seymour wrote Mr. Dey as follows, under date of November 30, 1864:

"I think you promised me that you would make some further examinations with reference to lengthening the line and reducing the grade, as well as quantities of excavation and embankment east of the Elkhorn, between Stations 1069 and 1109. I wish you would do this at once, and send me a sketch of the line and profile with a grade as low as 50 feet per mile,

and the line extended along the face of the bluffs, so as to reduce the quantities as much as possible; also advise me whether, from your surveys and knowledge of the country, it is practicable, by continuing the line from the west, down the valley of the west Pappillon, to the junction of the east and middle Pappillon, to diverge northerly in the direction of Omaha, and follow up one of the streams flowing from that direction to your first summit as shown on the map, and thus by lengthening the line a few miles to avoid most of the heavy works and grades upon the present line; and also whether in the same connexion the line could not follow down the Platte valley to a point just above the junction of the cut-off and Elkhorn, and then break through the bluffs just above Iron bluff, and enter the valley of a more southerly branch of the Pappillon. I confess that I have not been able yet to comprehend fully the theory of the location of the first 22 miles of the road, and I can find nothing in your reports to this office that fully explains it. I shall feel greatly obliged, therefore if you will post me up as much in detail as possible."

The following order was sent by telegraph on the 12th of December, 1864 :

"NEW YORK, December 12, 1864.

"Stop work on west end of section eleven; line will be modified into valley. Can work on east end of section. Line between sections two and ten probably be changed. Run line down Mud creek to intersect Bellvue line; also down Mud creek to small stream in section ten, township fourteen, through sixteenth, to intersect line at mouth of Big Pappillon. Have you received Seymour's letter?

"T. C. DURANT.

"P. A. DEY,

"Omaha, N. T."

The following letter was received from Mr. Dey :

"OMAHA, December 12, 1864.

"DEAR SIR : I have a letter from Mr. Seymour criticising our location from Omaha to the Elkhorn river, and making suggestions at great length. His earnestness is further evinced by a telegram sent a few days after his letter was mailed, urging an immediate and full answer from me. This part of the road was located with great care by me. You even animadverted on my going into the field personally to examine proposed lines; you also promised to have the lines scrutinized by a committee of engineers nearly a year ago.

"The line as located by me has been approved, and the location has been acted upon for a year. It is too late, after spending so much time and money on the construction, to go back and consider relative merits of this and other lines. The present location is right, unless it is desirable for the company and government to make a longer road, more bridges, heavier excavations, and spend on twenty miles the money which should be expended on one hundred miles of road. Your views favored the economical policy, which was certainly the true policy of the company. I acted upon it deliberately, and, as I still think, wisely.

"In view of the decided advantages of this route and the expenditures already made, it is in my opinion altogether out of the question to modify the location to meet the undigested views of Mr. Seymour, who cannot know the relative advantages of one route over another, because he has not been over the country, and, from the tenor of his letter, not even examined the profiles in the New York office.

"I regret that I had not, when I made the location, the advantages of his experience; then it would have been useful, and some of his suggestions might have been adopted; but the company is entitled to my best judgment now as heretofore, and my action is entitled to a fair consideration by its officers.

"Respectfully yours,

"PETER A. DEY.

"T. C. DURANT, Esq."

I desire to call your attention to the following extract from the above letter : "The present location is right unless it is desirable for the company and government to make a longer road, more bridges, heavier excavations, and spend on twenty miles the money which should be expended on one hundred miles of road."

Let me ask you, who have examined the ground and have all the facts, how can a man with ordinary sense expect a corporation to place any reliance upon his statements, or the least confidence in his ability, who deliberately makes a report to his employers so utterly at variance with the facts as they actually exist, or look upon any of his opinions except with distrust?

His remonstrances were disregarded by the company, and about this time he sent in his resignation.

From the foregoing statement of facts relative to his connexion with the road, you will be able to form an intelligent opinion as to the real cause of his leaving the same.

It has been an unpleasant task for me to allude to this subject, but the representations of the committee of the citizens of Omaha, and the fact that Mr. Dey is in the employ of interested parties in that place laboring to thwart the honest endeavors of the company to do

their duty, representing that he is a friend of the enterprise, renders it imperative for me to state the facts, that he may not use the position and influence his connexion with the company has given him in furtherance of his hostile endeavors.

4th. *The avowed object of the change.*

This is most palpably misstated in the communication referred to. The object as really entertained, and publicly avowed by the company, was, by lengthening the line about nine miles, to change the ruling grades from 80 to 40 feet per mile between Omaha and the Platte valley. The subject of a change of terminus has never been discussed or even suggested in the board of directors in connexion with this subject; neither has it been alluded to in the report and recommendations made by the company's engineers. The surveys that have been made since the change was decided upon by the company have demonstrated that the new route is susceptible, at a very slight comparative expense, of being still further improved. Whereas it is deemed entirely impracticable, except at an expense which even the promotion of the private purposes and interests of the property-holders and citizens of Omaha that are represented by this committee would scarcely justify, to reduce the maximum grade upon the old location very much, if any, below 80 feet per mile.

5th. *Telegraphic correspondence.*

It is claimed that my despatches to different parties at Omaha show evidence of a determination on my part "to intimidate Omaha and Council Bluffs into a passive submission," &c.; and for the purpose of proving this charge several garbled extracts are made from the despatches sent from this office

The following are true and complete copies of despatches sent from this office on June 1, 1865, directed to Mr. J. E. House and Mr. E. Creighton, respectively, at Omaha:

"JUNE 1, 1865.

"Make arrangements for temporary track from Bellvue to Junction without regard to grade, which can be changed when permanent location is made, secure place for saw-mill and Bur-netizing machine at Bellvue. You don't answer relative to brick and material. Do no work north of Junction. We have no time to lose, and must commence at Bellvue as our only alternative to save enterprise."

"T. C. DURANT.

"J. E. HOUSE, *Omaha, N. T.*"

In reply to a telegram from Omaha, from which I inferred that they were laboring under the impression that the change in location had been made in consequence of the citizens not having complied with the agreements, or that something was required of them, I sent the following:

"JUNE 1, 1865.

"Omaha is all right. Mr. House has the reasons for making the change, which I regret as much as you do. If Secretary Harlan insists upon old location, we submit, but shall build from Bellvue first, and finish line on old location thereafter, if Congress does not release us from it.

"We shall lose through business on the high grades, and must cross river elsewhere; consequently need no buildings at Omaha.

"T. C. DURANT.

"E. CREIGHTON, *Omaha, N. T.*"

The following are true and complete copies of two despatches sent from this office on the ninth of June, 1865, each directed to E. Creighton, at Omaha, in reply to his question: "If the new route is made, will you go on with the building at Omaha, and make this the *only* point of crossing the river? If so, the citizens of Omaha will aid you on the new line."

"JUNE 9, 1865.

"Shall make no promises as to crossing the river. We had made our arrangements to build at Omaha. We have had enough of interference. We shall consult the interests of the road, whether the citizens aid us or not. I should recommend, however, that you do not oppose new location; for if the old line is adopted, Cedar Rapids road will cross at De Soto, and Missouri and Mississippi road will connect that. The only chance to prevent this is a reduction of grades.

"T. C. DURANT.

"E. CREIGHTON, *Omaha, N. T.*"

That the position of affairs might be more fully understood, I also sent this :

"JUNE 9, 1865.

"It will cost one million of dollars more to complete the road through Iowa, via Des Moines to Council Bluffs, than to build Cedar Rapids. Your people and papers will destroy the last chance you have, for the terminus of our road at your place will not help you if there is no road to connect east.

"If any more obstacles are thrown in the way, we shall make application to the President to change the terminus.

"T. C. DURANT.

"E. CREIGHTON, *Omaha, Nebraska Territory.*"

It will be observed that the despatch to Mr. Creighton of the first of June reads quite different from the one contained in the communication of the committee, and that the committee have selected such passages as suited them from each of the despatches of the 9th of June, and consolidated them into what purports to be one despatch.

The following is a copy of a despatch sent to this office by the party to whom it was addressed, which seems to have been strangely omitted from those embodied in the communication of the committee :

"OMAHA, June 10, 1865.

"The people here will be satisfied with Mud creek route, if Bellvue movement is abandoned and permanent buildings be erected here at once. Omaha must be the only point of connexion with the Missouri river ; without this there will be trouble.

"E. CREIGHTON."

I shall dismiss this branch of the subject with the single remark that I am willing to submit to the judgment of any candid and disinterested reader of the entire correspondence as to which of the parties was then, and are now, endeavoring to place this controversy upon its true merits; and also as to which is making efforts to "intimidate into passive submission" the other.

6th. *Change of terminus to Bellvue.*

The committee say that, "in view of this whole procedure we can see nothing but a covert design to change the terminus for speculative purposes," &c. The case as presented by the committee might, it is true, bear this construction; but will the real facts in the case justify such a conclusion? Let us see.

The laws of Congress require that one hundred miles of the Union Pacific railroad between the Missouri river and the 100° meridian shall be completed within three years after filing by the company in the office of the Secretary of the Interior their assent to the organic law.

Their assent was filed on the 27th June, 1863; consequently the charter and organization might be forfeited unless one hundred miles are completed by June 27, 1866.

This and the knowledge of the difficulties to be overcome under the most favorable auspices in order to complete enough of the road this season to redeem the pledge given those who had advanced the company means for the prosecution of the work, was in my mind when I telegraphed Mr. House that. "We have no time to lose, and must commence at Bellvue as our only alternative to save enterprise." The original location between Stations 150 and 900 had been abandoned under the advice of Mr. Usher, then Secretary of the Interior, the government directors, and the best engineering talent that could be found, and the materials for superstructure and equipment for eighty miles was being delivered rapidly at Omaha; we were about ready to commence laying the track. The President of the United States, at the suggestion of Mr. Harlan, the Hon. Secretary of the Interior, had declined approving the new location until the whole subject could be examined and reported upon by a government engineer, to be detailed for that purpose. Some of the people of Omaha were throwing obstacles in the way of constructing the road upon the new location.

The company had no authority for building the road upon that location until the route should have been approved by the President; many of the land owners along the line were threatening to stop the work, and prosecute the company for trespassing upon their property. The company had incurred large obligations for money, predicated upon the completion of twenty miles of the road within a given time. What, under all these circumstances, was to be done? Were we to fold our hands and allow the company to be discredited, and the entire organization to be legally forfeited? Certainly not. Our only alternative seemed to be to organize a company under the general railroad act of Nebraska, by which to legalize our proceedings, and then lay a temporary track from the Missouri river, at or near Bellvue, to the intersection of the original location at Station 900, over which we could transport the necessary material for the track from that point westward into the Platte valley upon the main line of the Union Pacific Railroad, and thus "save the enterprise," and at the same time maintain the credit of the company.

This was the cause of the Bellvue alarm, about which so much is said in the communication of the committee. The idea was abandoned for the time, and work resumed and material sent to Omaha upon the assurance of the honorable Secretary of the Interior that no time would be lost in bringing the matter before the President of the United States for his final decision, and the fact, ascertained by careful examination, that the work on the proposed line had so far progressed, that it was cheaper to complete the grading to a point where a line from the Missouri river at Bellvue would intersect, than to grade for a temporary road from that point to the river. Should the decision of the President be adverse to the new location, it will, for the reasons above stated, still be necessary to resort to the expedient of a separate organization for that portion of the road east of the point of junction with the old location.

It was in view of this contingency, and the final results that I foresaw would most naturally flow from it, that I endeavored, with all the force and earnestness at my command, to impress upon the people of Omaha that their position as the permanent terminus of the road depended upon the prompt adoption by the President of the route with the lowest ruling grades, and that their opposition to this route was a source of great embarrassment and delay to the work, and would, in all probability, endanger the future welfare of the place; but I could not pledge the company upon so important a matter as the *only place* its road should cross the river. These warnings and remonstrances, however, have all been disregarded, and in return for them I have received nothing but misrepresentation and abuse.

Whatever the result of the agitation of this subject may be, therefore, upon the future welfare of Omaha, I feel that the citizens through their representatives, and not myself, will be justly held responsible for. I did not advocate the change in the first instance, and only reluctantly consented to it, not from any want of conviction as to the propriety of the recommendations of prominent engineers, so far as the economical operating of the road was concerned, but from the firm conviction that the change would create an opposition from parties interested in private speculations, and thus bring about discussions, and perhaps delays, the latter of which might endanger the enterprise.

I believed then, and that belief has been fully justified, that it would be far better for the company to construct a road on the old location, abandon the same hereafter, and incur the expense of a new line to the Missouri river at Bellvue. As to the "speculative purposes" with which I am charged, I can only say, that I do not now and never have owned, in my own right, one dollar's worth of property in the Territory of Nebraska. The interests of my friends, so far as they have any, that will be affected by the final decision of this question, are centered at Omaha and Council Bluffs, so that my personal sympathies, so far as they could be exercised without prejudice to the interests of the company, have always favored every measure that would be likely to promote the welfare of those localities.

It was proposed that the citizens of Omaha should donate to the company the right of way and a suitable site for depot buildings and machine shops.

This, however, has not been done only in part, and a portion of the land so donated is unsuitable for the purpose and of little value, or is so situated that the cost of rendering it fit for the purpose of the company would exceed that of purchasing land more suitable. I do not know to what extent the land referred to by the committee has been donated. The deeds, I understand, when the property was so situated as not to be available for the uses of the company, had been executed to me as trustee, and are all in the hands of the land commissioner of the company, to be exchanged for, or sold to aid in the purchase of, such property as the company may require for its own use. The titles were thus made for the purpose of allowing the property to be reconveyed with less trouble than could be done if deeded to the company, and subject to their mortgages.

7th. Grades of 116 feet per mile.

The charter of the company requires that "the grades and curves shall not exceed the maximum grades and curves of the Baltimore and Ohio railroad;" these are grades of 116 feet per mile, and curves of 400 feet radius. The lines reported upon by Mr. Dey between Omaha and the Platte valley were all very expensive and undulating on account of their running over the swells and divides of the country instead of around them; the one selected, however, was found to be adaptable, at a great expense, to a maximum grade of 80 feet per mile, and the grade was adopted at the commencement of the work. The slow progress made in grading during the spring and summer of 1864 rendered it necessary in the fall to change these grades in some instances to 116 feet per mile, in order to insure the completion of the first one hundred miles within the time required by the charter; so that when the work between Stations 150 and 900 was suspended in January, 1865, some of the heaviest excavations and embankments were actually being constructed, with a maximum grade of 116 feet per mile. It was the intention of the company, however, to reduce the grades with gravel trains as soon as practicable after having complied with the requirements of the law, as suggested in the following letter of Colonel Seymour, written by my direction:

"UNION PACIFIC RAILROAD COMPANY,
"President's Office, 13 William street, New York, November 13, 1864.

"DEAR SIR: I have been looking over the profiles of the first twenty miles west of Omaha with Mr. Durant, and he desires me to make the following suggestions for your consideration and guidance:

"It is considered safe to assume that the necessary materials can be delivered at Omaha as early as the 1st of June next for commencing the laying of the track vigorously westward. And, therefore, it is very desirable that the grading between Omaha and Elkhorn river, including the bridge, should be so far advanced as not to interfere with or retard the laying of the track to the Platte valley by that time, and also for the additional reason that the grading will then be so far advanced westward of the Elkhorn that the track may be laid continuously for from thirty to fifty, and, perhaps, eighty miles.

"In view, therefore, of the great importance to the company and the public of extending the road as far as possible up the Platte valley during the next season, together with the very great difficulty in procuring labor at the present time, it is thought advisable, in the heaviest portions of the work on the first twenty miles, to adopt temporary grades with an inclination, if necessary in extreme cases, of 120 feet per mile, and also to excavate the cuts to the narrowest width that will admit of the safe passage of a train, and the convenient and economical prosecution of the work. After this is done, and the track laid to the Platte valley, it is proposed, before the road is offered for the acceptance of the government or opened for the transaction of business, to complete the grading to the full width and present grades, with construction trains, by means of which it is believed it can then be done much more economically than now.

"With reference to the location and construction of the line, station-house, machine-shop, engine-house, &c., at the western terminus, it is not considered important that anything decisive should be done before quite early in the spring, or in time to receive and protect the cars and machinery that will be necessary for the transportation of the iron and other materials for the track as it arrives by the earliest freshets in the Missouri river.

"Hoping that these views and suggestions will meet with your approval, I remain, yours, very truly,

"S. SEYMOUR, *Consulting Engineer.*

"PETER A. DEY, Esq., *Engineer in charge, &c., Omaha, N. T.*"

This, you will perceive, was done at a time when we had every reason to suppose that the route adopted by the company, and approved by the President of the United States, was really the best and most practicable route for the road between Omaha and the Platte valley.

The case now stands quite differently; a much better route for all parties in interest has been discovered, that admits of much improved grades between Omaha and the Platte valley, and it is also ascertained that if the business of the road should hereafter require a further reduction of grades ascending westerly from the Missouri river, in order to accommodate the great preponderance of trade in that direction, a branch of three or four miles in length may be constructed down the Pappillon to the Missouri river, which will reduce the maximum grade ascending westerly to twenty feet per mile over the entire distance, from the Missouri river to the eastern base of the Rocky mountains. With these facts before them, and their importance satisfactorily demonstrated, it appears to me, if the new line is rejected, that this company cannot, with proper regard for the interests either of the stockholders, the government, or the public, expend any more money upon the old location than is absolutely necessary to meet the requirements of the law; and it seems but reasonable to anticipate that Congress, upon a proper representation of facts, would interfere to prevent an unnecessary waste of labor and capital upon a route which the laws of gravity and trade will sooner or later render comparatively worthless; for it must be borne in mind that the government bonds to be issued to this company is not a subsidy, but a loan to the company, and is a lien on the road, taking precedence of the stock, ultimately to be paid by the company, which would fail to protect its own interest did it not apply the means at its command in constructing the road upon such route as would best insure a remunerative return.

This company has never claimed nor represented that the amended location asked for embodies at the present time all the advantages that may be attained over the original location, as about three miles of the old line west of Omaha was embraced in the amended location, on account of the work on the same having been nearly completed when the change was made, on which there is a maximum grade greater than forty feet. They do represent, however, and claim that the amended route, while it is far superior with its present grade, is easily and at very slight comparative expense susceptible of being still further improved, so as to embody all the advantages claimed for it, while the original can never, within any reasonable limit of expenditure, be so far reduced in grade as to make it a desirable connexion for the railroad east of the Missouri river.

By adopting the line recently surveyed by Mr. Ainsworth, down the Missouri bottom a short distance and across to the Mud Creek route, which can be done at a reasonable cost, trains going west will only have a maximum grade of thirty feet to overcome, while coming east can use the present descending grade on the first three miles west of Omaha, thus giving all the advantages of a double track.

These improvements in the grade will, as a matter of course, be adopted and carried out by the company as soon as the business of the road will justify the expenditure; that it shall be done sooner seems to be inconsistent both on the part of the government and the people.

8th. *Stockholders at Omaha and proposition for contract.*

Inasmuch as the management are accountable to the stockholders in all matters pertaining to the affairs of the company, and are elected annually by them, it is but fair to presume that if there was any reasonable ground for complaint those whom this committee claim to represent would lend their aid to bring about a change.

How much of the entire twelve hundred dollars invested in the stock of the company by parties residing in Nebraska Territory and the western parts of Iowa is represented by this committee I am unable to state, but certain it is that neither of the names of these gentlemen appear on the books of this company as stockholders. The enterprising and responsible people of Omaha, so desirous to contract for building the road, were quite safe in making their propositions to their own committee instead of the railroad company.

9th. *Concluding remarks.*

Owing to the fact that Major General John A. Dix, the president of the Union Pacific Railroad Company, has, during the recent rebellion, been obliged to devote nearly the whole of his time to the performance of the military duties assigned him by the government, the duty has devolved upon me, as vice-president, since the organization of the company, to act as the principal executive officer in the administration of its affairs. In doing this it has been my earnest wish and purpose to act not only justly, but liberally, to all parties and interests who had a right to be represented in this great national enterprise. That errors have been committed is not at all unlikely, as I do not claim to be infallible, but I am not conscious of doing intentional injury to any one.

I have never supposed that this great work, involving the expenditure of hundreds of millions of dollars, was being built exclusively for the benefit of Omaha, nor that the half of the entire Union lying upon either side of the Missouri river was for all time to be compelled, in their intercourse with each other, to pay tribute to any particular point or locality upon that river for the privilege of intersecting or crossing it; but that it was designed that this road should follow the most natural and eligible route which nature has left open for it through the difficult and mountainous country which it was to traverse. It has been only upon this assumption that I have invested largely of my own means, and been able to induce others to invest theirs, during a period of the most unexampled financial embarrassment growing out of our national difficulties; but I have succeeded, through the co-operation and financial ability of our treasurer, J. J. Cisco, esq., the aid and support of an intelligent board of directors and confiding friends and capitalists, in placing the enterprise beyond the reach of failure; and provided the government shall see fit to indorse the policy of the company, in the matter now under consideration, in which I know they have acted in the utmost liberality and good faith, I have the fullest confidence in their ability to prosecute this great work to a speedy completion. On the other hand, if the policy of the company shall be repudiated by the government, and the completion of the first consecutive one hundred miles west of Omaha be thereby delayed one year or more, I shall still persist in my efforts, and the use of every legitimate means, to hasten forward to its final completion a work with which I shall ever deem it an honor to have been connected.

I have the honor, colonel, to be, very respectfully, your obedient servant,

THOS. C. DURANT,
Vice-President Union Pacific Railroad Company.

Colonel J. H. SIMPSON,
United States Engineers.

APPENDIX K.

No. 1.

BURLINGTON AND MISSOURI RIVER RAILROAD COMPANY OF IOWA,
Office 48 City Exchange, Boston, August 15, 1865.

DEAR SIR: My attention has been called to an article in the *Intelligencer*, headed "Pacific Railroad," in which it is said that the Secretary of the Interior holds that the President has a right to sanction a change of route of the Omaha branch.

As you are presumed to feel more personal interest in the Burlington and Missouri River Railroad than any other, and aided it in getting its grant in Nebraska, I venture to trouble you with the inquiry, whether it is your opinion that the President has authority to sanction a change in the Omaha branch, which will interfere with the rights of the Burlington and Missouri River Railroad Company, under the act of Congress approved July 2, 1864.

You are aware that we have gone forward under that act and surveyed our route and adopted it, and sent a map, with a certificate, to your department, to be placed on file.

We are now obtaining means, as the accompanying circular will show you, to renew the extension of our road, and hope to make it, by the aid of the Chicago, Burlington, and Quincy Company, the best route to the 100th meridian, with a bridge at Burlington.

Now it seems that our neighbor on the north, not content with a land grant in Iowa several times larger than ours, and, in addition to its land grant in Nebraska, direct government aid to the extent of \$16,000 a mile, proposes, by a flank movement in Nebraska, to cut us off.

Can it be done? is the question.

Can the Omaha branch move down towards the Platte and cover our route? We hear from the west that such is the purpose. The plan is said to be to compel our road to become a feeder to that road, while the eastward through business is to be sent over the Mississippi and Missouri and Rock Island route, we to get, in return for all the business we furnish from the east and intermediate points, simply what *must* stop in the counties through which we pass in Iowa.

Of course, we cannot and do not object to any change of the route of the Omaha branch which does not trench upon our rights, which we are bound to be watchful of, for our own sakes and for the sake of all in Iowa who are interested in the extension and completion of our road to the main trunk of the Pacific.

I shall feel obliged if you will favor me with your views on this subject.

Very truly, yours,

J. N. DENNISON, *Treasurer.*

Hon. JAMES HARLAN,
Secretary of the Interior.

No. 2.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., August 17, 1865.

SIR: Your letter of the 15th instant, asking whether the Union Pacific Railroad Company can lawfully change the route of the road so as to interfere with the Burlington and Missouri River railroad, has been received. You will pardon me for saying that it is not usual for an officer acting judicially to decide a case before it is brought before him.

Should any one protest against a location on account of interferences with the rights acquired by a previous location, I would consider the question as properly raised, and give it a careful examination and as prompt a decision as practicable.

Very respectfully, your obedient servant,

JAMES HARLAN, *Secretary.*

J. N. DENNISON, Esq.,
No. 48 City Exchange, Boston, Mass.

No. 3.

BURLINGTON AND MISSOURI RIVER RAILROAD COMPANY, OF IOWA,
Office 48 City Exchange, Boston, August 31, 1865.

DEAR SIR: Your favor of the 17th came duly to hand, but I could not send in a remonstrance at an earlier day owing to the absence of our president, Mr. Brooks.

If there should be any occasion for it, we should like to be heard further by counsel.

Very truly, yours,

J. N. DENNISON, *Treasurer.*

Hon. JAMES HARLAN,
Secretary of the Interior.

No. 4.

To the Secretary of the Interior:

The Burlington and Missouri River Railroad Company, of the State of Iowa, having been informed that the Union Pacific Railroad Company are endeavoring to procure the approval of the President for the proposed change of the route of the Omaha branch of the said Pacific Railroad through the territory west of Iowa, so as to bend the route southward of the route adopted by the company and approved by the President, respectfully but earnestly remonstrate against the said proposed change of route and the approval thereof by the President.

They would respectfully state, as a reason why the said alteration of the route should not be allowed or sanctioned, that since the passage of the Pacific Railroad act Congress has made an appropriation, in the form usually made to aid in the construction of railroads, of lands through Nebraska to aid in the extension of the Burlington and Missouri River Railroad through that Territory to the junction with the Pacific Road at the one hundredth (100th) meridian.

There is no grant of (\$16,000) sixteen thousand dollars per mile to aid this road, but simply land, while the Omaha branch of the Pacific road has grants of both money and land to aid in its construction.

The proposed alteration in the route of that road brings it almost down to the line adopted by the Burlington and Missouri River Railroad Company. That company has adopted the grant, expended much money in surveying and locating its line, has completed its location, and filed the map of it in the office of the Secretary at Washington.

It has done this knowing of the route selected by the Pacific road for its Omaha branch. The route it has selected was intended as an independent road through the country. Before this grant was made by Congress the Pacific road had entered upon its surveys. It procured them to be made, and its route to be located and approved by the President. Its route was intended as an independent road, and to accommodate and develop the section of country along which, or through which, it is located, and it is only since the survey and location of the Burlington and Missouri River road through Nebraska that an effort has been made by the Pacific road to change the location of its Omaha branch and invade the territory which is justly and properly that upon which the Burlington and Missouri River road is dependent for business, and whose resources it will develop. This proposed alteration of the Pacific route, therefore, is a proposed wrong of great magnitude to the Burlington and Missouri River Railroad Company, and for these reasons alone ought not to be permitted. It is also a great proposed wrong both to the government and the territory through which it has been located.

One object of the government is the development of the section of the country through which the road runs. This object is defeated if the roads are permitted to be located on or near the same route, and can only be accomplished by causing the roads to be built remote from each other, and through distant sections of the country, as was the original plan and design. It is doubly wrong to allow a company to whom Congress has granted not only lands, but sixteen thousand dollars (\$16,000) per mile in addition, to aid in its construction, to alter its route and invade the route and territory tributary to another right, marked out by Congress, and which was only a grant of lands to aid in its construction.

It is against injustice like this by a company so favored and munificently endowed by the government that the Burlington and Missouri River Railroad Company earnestly protests. It would respectfully represent, also, that the road having been once located by the Pacific Railroad Company from Omaha to the junction, and the location approved by the President, its location is fixed, and cannot, as it ought not to be, changed, and that there is nothing in the act of Congress which allows of any change.

The President's approval and sanction having been given to the route surveyed by the company, and adopted by it, his duties in that respect are completed, and neither himself nor any subsequent President has the power to allow or sanction a revocation.

On all grounds, therefore, the Burlington and Missouri River Railroad Company remonstrates and protest against any change or alteration in the route of the Omaha branch, and any approval or sanction by the President of any such alteration or change.

All of which is respectfully submitted.

J. W. BROOKS, *President.*

APPENDIX L.

No. 1.

OFFICE OF THE PACIFIC RAILROAD,
September 2, 1865.

GENERAL: I am instructed by the Hon. Secretary of the Interior to forward for your information the enclosed remonstrance of J. W. Brooks, president of Burlington and Missouri River Railroad Company, against any change in the original location of the Union Pacific Railroad west from Omaha.

I am, very respectfully, your obedient servant,

J. H. SIMPSON,
Lieutenant Colonel Engineers.

Gen. JOHN A. DIX,
President Union Pacific Railroad Company, New York.

No. 2.

UNION PACIFIC RAILROAD COMPANY, PRESIDENT'S OFFICE,
13 William street, New York, September 5, 1865.

SIR: I have received your letter of the 2d inst., enclosing, by direction of the Secretary of the Interior, a remonstrance from the Burlington and Missouri River Railroad Company against the proposed change of line of the Union Pacific Railroad Company westward from the terminus at Omaha.

I think it quite obvious that the president of the first-named company did not understand the nature of the proposed change. If he had, he could hardly have treated it as an invasion of the Territory, which is justly and properly that upon which the Burlington and Missouri River Railroad Company is dependent for business, and whose resources it will develop.

The change referred to is all within the first 17½ miles of the old line west from Omaha. At that distance the old and new lines unite, and the maximum deflection of the new line from the old within that distance is only 5¼ miles. As the line of the Burlington and Missouri River railroad is understood to run south of the mouth of the Platte, a distance of 18 miles from Omaha, the apprehended invasion of the Territory, for which that road proposes to furnish railroad facilities, is altogether imaginary; certainly no business which would naturally fall to that road in the district of country referred to would be in any danger of being diverted by the slight change of line proposed in the other road.

The change, as you are aware, did not originate with the directors of the Union Pacific Railroad Company. You are also aware that it was unanimously recommended by the government directors, and that the only objects in view were to promote the public convenience and to relieve the company from a perpetual burden in running an unnecessarily expensive line of high grades. The interest which the government and the commercial community have in the change is fully equal to that of the company.

I am, very respectfully, yours,

JOHN A. DIX, *President.*

Lieut. Col. J. H. SIMPSON,
United States Engineers.

No. 3.

OFFICE OF THE PACIFIC RAILROAD,
September 7, 1865.

GENERAL: I am instructed by the honorable Secretary of the Interior to acknowledge the receipt of your communication of the 5th instant, in answer to the remonstrance of the Burlington and Missouri River Railroad Company.

In reply, I respectfully draw your attention to section 3 of the act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, approved July 1, 1862, in connexion with section 4 of the act amending said act, approved July 2, 1864, by which you will see that the proposed change by the Union Pacific Railroad Company of the original line of their route westwardly from Omaha to that proposed further south will increase the conflict already existing between the two companies by bringing their routes still nearer together, and thus making the domains from which the grants are to be made still further overlap each other.

I am, general, very respectfully, your obedient servant,

J. H. SIMPSON,
Lieutenant Colonel of Engineers.

General JOHN A. DIX,
President Union Pacific Railroad Co., New York.

No. 4.

UNION PACIFIC RAILROAD COMPANY, PRESIDENT'S OFFICE,
13 William street, New York, September 9, 1865.

SIR: I have just received your letter of the 7th instant, acknowledging the receipt of mine of the 5th, concerning the remonstrance of the Burlington and Missouri River Railroad Company against the proposed change of the line of the Union Pacific Railroad west from Omaha.

The point suggested in your letter in regard to the conflict between the two companies concerning the grant of land by Congress was so indirectly stated in the remonstrance that I did not allude to it in my letter of the 5th, and I did not, in fact, consider it of any importance. This company has never expected to get any lands within the district in which the change of line is contemplated. It is supposed that they are all, or nearly all, covered by pre-emption claims. In entering upon the execution of the greatest enterprise of modern times, it would be discreditable to all concerned to permit any obstacle to be thrown in the way by so trifling a consideration as a conflict between two companies in regard to a few acres of public land; and in order to remove all objection to the proposed measure, I am authorized by the members of the executive committee now in the city (and I have no hesitation in speaking for the others) to say that this company will waive all claim to any lands to which the Burlington and Missouri River Railroad Company is now entitled under existing acts of Congress, so far as such claim may arise from the proposed change of line.

That I may not be misunderstood, I put the proposition in another form of words: that the Union Pacific Railroad Company will not claim any lands, by reason of the change of line, to which the other company is now entitled. If the Secretary of the Interior deems it important to make the waiver more secure, the change of line can be approved on the express condition that this company shall not make, in the district referred to, any claim to lands to which it was not entitled previous to the change.

Having thus removed all ground of conflict between the two companies arising out of the proposed change of line in regard to their respective grants of land, I beg to express the hope that the question may be decided as speedily as possible, and that this company may be relieved from the numerous and many serious embarrassments occasioned by the long delay which has taken place.

I am, very respectfully, yours,

JOHN A. DIX, *President.*

Lieut. Colonel J. H. SIMPSON,
United States Engineers.

No. 5.

OFFICE OF THE PACIFIC RAILROAD,
September 12, 1865.

GENERAL: I have the honor to acknowledge the receipt of your reply of 9th instant to mine of the 7th.

You speak of the long delay of the department in not deciding the question at issue, and the inference seems to be that it has arisen from a want of prompt action on the part of the government. I think it proper to relieve the department from such an imputation, if any such is intended, by reminding you that the delay has been occasioned by the necessity of the surveys and profiles which the absence of any such essential data in your office made it obligatory upon me to order, and which, indeed, delayed my report on the question, at the express request of the consulting engineer of the road, Col. Silas Seymour.

By order of the Secretary of the Interior.

I am, general, very respectfully, your obedient servant,

J. H. SIMPSON,
Lieutenant Colonel Engineers, in charge.

Gen. JOHN A. DIX,
President of the Union Pacific Railroad Company.

No. 6.

UNION PACIFIC RAILROAD COMPANY,
President's Office, 13 William street, New York, September 18, 1865.

SIR: Absence from the city has prevented me from acknowledging at an earlier day your letter of the 12th instant.

I did not intend in my letter of the 9th to impute to the Department of the Interior any want of prompt action in the matter of the proposed change of line. I foresaw, when the Secretary declined to recommend to the President of the United States to confirm it, that there would be an embarrassing delay in making the required examinations, though I did not suppose it would be protracted through the period of four months. Under the circumstances I did not think it out of place to ask of the Secretary an early decision, as we are losing valuable time, and find it nearly impossible to make proper financial payments to push on the great national enterprise so long as there is any question pending between the government and the company in regard to the route.

I am, very respectfully, your obedient servant,

JOHN A. DIX, *President.*

Lieut. Colonel J. H. SIMPSON,
United States Engineers.

APPENDIX M.

OMAHA, July 15, 1865.

DEAR SIR: In answer to your letter of the 15th instant requesting my observations in regard to the rise in the Missouri river at this point, I would state that during the spring rise of 1862 the water covered the bottom, from the river bank to the bluff, with a strong current and an average depth of not less than three feet. This continued, I should say, at least two (2) weeks. At that time I was told by a person who had marked the rise of 1857 that the water was eighteen inches higher at that time than in 1862.

I am, very respectfully, yours,

Col. J. H. SIMPSON.

JAMES T. ALLAN.

APPENDIX N.

Estimated cost of constructing different routes between the Missouri river and Station 1660, in the Platte Valley; being the west end of section Nos. 12 and 16, 29 miles east of Station 2520, at Frémont.

AUGUST 24, 1865.

Route No. 1—Old location from Station O, at Omaha, to Station 926, + 44 feet of old numbers, (= Station 1,387 of new numbers,) and thence, via line common to all routes, to Station 1663 of new numbers—distance 119944 feet, or $22\frac{1}{10}$ miles.

Maximum grade of 66 feet per mile, ascending westerly, and 79.45 feet per mile, ascending easterly. The estimate on file in this office, dated "Engineer's office, Omaha, September 1, 1864," prepared by Mr. Dey, is as follows:

Section No. 1	\$55,790 00
Section No. 2	42,570 00
Section No. 3	92,840 00
Section No. 4	127,470 00
Section No. 5	31,825 00
Section No. 6	124,650 00
Section No. 7	38,940 00
Section No. 8	25,780 00
Section No. 9	75,700 00
Section No. 10	11,980 00
Section No. 11	45,810 00
Section No. 12	32,985 00
For grading, bridging, &c.....	706,340 00
Add $22\frac{1}{10}$ miles superstructure, at \$20,000 per mile	454,400 00
Total.....	<u>1,160,740 00</u>

Average, \$51,081 per mile.

Route No. 1a.—Old location, described lineally as number 1, with grades reduced to 50 feet per mile in both directions. From estimate dated Engineer's office, Omaha, September 1, 1864.

Section No. 1	\$228,992 20
Section No. 2	91,619 45
Section No. 3	231,601 25
Section No. 4	379,326 00
Section No. 5	65,061 40
Section No. 6	168,826 20
Section No. 7	122,765 50
Section No. 8	56,250 20
Section No. 9	194,972 50
Section No. 10	21,543 50
Section No. 11	89,353 80
Section No. 12	45,617 85
For grading, bridging, &c.....	1,695,929 85
Add $22\frac{1}{10}$ superstructure, at \$20,000 per mile	454,400 00
Total.....	<u>2,150,329 85</u>

Average, \$94,644 per mile.

Route No. 1b.—Same as preceding, but with grades ascending 40 feet per mile westerly, and 50 feet per mile easterly.

No detailed estimate has been made on these grades, but it is clear that it cannot vary much from a mean between Route No. 1a, of 50 feet each way, and Route No. 2, of 40 feet each way. We have, therefore—

Total estimate for Route No. 1a	\$2,150,329 85
Total estimate for Route No. 2.....	<u>2,349,184 00</u>
	2)4,479,513 85
	<u>2,239,756 92</u>

Average, \$98,581 per mile.

Route No. 2.—Old location described lineally as No. 1, with grades reduced to a maximum of 40 feet per mile in both directions. Mr. Ainsworth, under date of August, 1865, estimates as follows:

Section No. 2.....	\$44,045 00
Section No. 3.....	316,040 00
Section No. 4.....	337,970 00
Section No. 5.....	33,815 00
Section No. 6.....	115,440 00
Section No. 7.....	180,061 00
Section No. 8.....	77,384 00
Section No. 9.....	169,014 00
Add Mr. Ainsworth's increase on sections 3 to 9, inclusive, as per letter of August 14, 1865, app. C. 3.....	104,450 00
Add for reducing section 1 and part of section 2, (see profile,) say 600,000 cubic yards, at 50 cents.....	300,000 00
Add Mr. Ainsworth's estimates for reducing grade at Elkhorn from 80 to 40 feet per mile.....	50,000 00
Add original cost of sections 1, 10, 11, 12.....	146,565 00
For grading, bridging, &c.....	1,874,784 00
Add 22 $\frac{1}{2}$ miles superstructure, at \$20,000.....	454,400 00
Total.....	2,329,184 00

Average, \$102,517 per mile.

Route No. 3.—New location, as now graded, from Station 0, at Omaha, with consecutive numbering of stations, *via* old location, to Station 150; thence *via* Mud creek and Pappillon valley, to Station 1387, (=926 sta. + 44 feet of old line at point of convergence,) and thence, by route common to all lines, to Station 1660. Distance, 166,000 feet, or 31 $\frac{1}{2}$ miles, with maximum grades of 66 feet per mile ascending westerly—a distance of 15,000 feet out of Omaha, and of 80 feet per mile descending westerly—a distance of 4,000 feet into the Platte valley, near the Elkhorn river, with intermediate grades not exceeding 40 feet per mile.

Section No. 1, (Mr. Dey's estimate of September 1, 1864).....	\$55,790 00
Section No. 2.....do.....do.....do.....do.....	21,285 00
Section No. 2, (Mr. House's estimate, January 23, 1865).....	14,790 00
Section No. 3.....do.....do.....do.....do.....	11,910 00
Section No. 4.....do.....do.....do.....do.....	7,250 00
Section No. 5.....do.....do.....do.....do.....	7,700 00
Section No. 6.....do.....do.....do.....do.....	10,500 00
Section No. 7.....do.....do.....do.....do.....	6,900 00
Section No. 8.....do.....do.....do.....do.....	29,375 00
Section No. 9.....do.....do.....do.....do.....	32,200 00
Section No. 10, (Mr. Dey's estimate, September 1, 1864).....	11,980 00
Section No. 11.....do.....do.....do.....do.....	45,810 00
Section No. 12.....do.....do.....do.....do.....	32,985 00
For grading, bridging, &c.....	288,475 00
Add 31 $\frac{1}{2}$ miles superstructures, at \$20,000 per mile.....	628,800 00
Total.....	917,275 00

Average, \$29,175 per mile.

Route No. 4.—Line as proposed to be amended hereafter, from Omaha down the Missouri river, ascending and crossing the bluffs, to an intersection with the Mud creek and Pappillon valley route (or No. 3) at Station 421, thence following route No. 3 to Station 1660; distance 162,420 feet, or 30 $\frac{1}{2}$ miles, with maximum grades of 30 feet per mile in each direction.

Mr. Ainsworth's estimates of August, 1865, from Omaha, <i>via</i> line down Missouri river, to Station 366 of Mud creek line, with maximum grade of 31 feet per mile.....	\$170,800 00
Add for reducing grade to 30 feet per mile on both sides of summit at Station 337, and changing line from Station 366 to Station 421; also, for grading balance of section 3, between Stations 421 and 430, 30,000 yards, at 50 cents per yard.....	15,000 00
Section No. 4, (Mr. House's estimate of January 23, 1865).....	7,250 00
Section No. 5.....do.....do.....do.....do.....	7,700 00
Section No. 6.....do.....do.....do.....do.....	10,500 00

Section No. 7. (Mr. House's estimate of January 23, 1865)	\$6,900 00
Section No. 8. do do do do do	29,375 00
Section No. 9. do do do do do	33,200 00
Section No. 10. do do do do do	15,450 00
Section No. 11. (Mr. Dey's estimate of September 1, 1864)	45,810 00
Section No. 12. do do do do do	32,985 00
Add cost of reducing Kane's Cut and other grades, between Stations 421 and 1660, to maximum of 30 feet per mile, 120,000 cubic yards excavation, at 50 cents per yard	60,000 00
For grading, bridging, &c.	434,970 00
Add 30 $\frac{1}{8}$ miles superstructure, at \$20,000 per mile	615,200 00
Total	1,050,170 00

Average, \$34,141 per mile.

<i>Route No. 5.</i> —Line from Missouri river, near Bellvue, up the Pappillon valley, to an intersection with route No. 4, at Station 478 + 55 feet, of Mud creek line; thence following up the Pappillon valley (route No. 3) to Station 1630, distance 146,033 feet, or 27 $\frac{1}{8}$ miles, with maximum grades of 20 feet per mile, ascending easterly.	
Mr. Ainsworth's estimates of August, 1865, from Missouri river to Station 478 + 55 feet	
Two-thirds of section No. 4, (Mr. House's estimate of January 23, 1865)	\$57,150
Section No. 5, (Mr. House's estimate of January 23, 1865)	4,832
Section No. 6. do do do do do	7,700
Section No. 7. do do do do do	10,500
Section No. 8. do do do do do	6,900
Section No. 9. do do do do do	29,375
Section No. 10. do do do do do	33,200
Section No. 11. (Mr. Dey's estimate of September 1, 1864)	15,450
Section No. 12. do do do do do	45,810
Add cost of reducing Kane's Cut and other grades, between Stations 478 + 55 and 1660, to maximum of 20 feet per mile ascending westerly, and 30 feet per mile ascending easterly, 150,000 cubic yards excavation, at 50 cents	32,985
For grading, bridging, &c.	75,000
Add 27 $\frac{1}{8}$ miles superstructure, at \$20,000 per mile	318,902
Total	553,200
Total	872,102

Average, \$31,529 per mile.

(The above estimate is based on the surveyed or full orange line. A personal examination has convinced me that the dotted line is practicable, better, and would not add materially to the estimate of the one actually surveyed.—J. H. S.)

Recapitulation of cost, length, maximum grades, &c., of different routes between the Missouri river and the west end of section 12, Station 1660.

DESIGNATION OF ROUTE.		MAXIMUM GRADE PER MILE IN FEET.		COST.	
No.	Name.	Length of line in miles and fractions.	Ascending westerly.	Ascending easterly.	Total. Average per mile.
1	Old location with 80 feet grades	22.73	66	79.45	\$1,160,740 \$51.081
1a	Old location with 50 feet grades.	22.73	50	50	2,150,329 94.644
1b	Old location with 40 & 50 feet grades	22.73	40	50	2,239,757 98.381
2	Old location with 40 feet grades	22.73	40	40	2,329,184 102.517
3	Constructed line	31.44	66	79.2	917,275 29.175
4	Proposed line	30.76	30	30	1,050,170 34.141
5	Bellvue line	27.66	90	30	872,102 31.529

NEW YORK, August 24, 1865.

I hereby certify that the foregoing estimate of cost, length, maximum grades, &c., of the respective routes, as above designated, between the Missouri river and Platte valley, at Station No. 1660, is correctly compiled from original and correct data on file in this office.

S. SEYMOUR,

Consulting Engineer Union Pacific Railroad Company.

DEPARTMENT OF THE INTERIOR,

*Washington, D. C., September 23, 1865.**To the President:*

I have the honor to submit, herewith, the report, map, and profiles of Lieutenant Colonel J. H. Simpson, corps engineers, appointed to examine and report in relation to the application of the Union Pacific Railroad Company for an amended location of a portion of the route of their road between Omaha city, Nebraska, and the valley of the Elkhorn river.

Colonel Simpson has given this matter a thorough investigation, both on the ground and in the office, and has arrived at the conclusion that the line which the company have proposed and pledged themselves to build, extending from Omaha down the Missouri valley, and across the river bluff to Mud creek and Pappillon valley route (No. 3) at or near Station 421, and thence on said route to the valley of the Elkhorn, as shown on the accompanying map, with ruling grades of 30 feet, ascending westward and eastward, is 15 per cent. better than any other route that can be obtained westwardly from Omaha, and therefore the best for the country which the company could build.

I am, with great respect, your obedient servant,

JAMES HARLAN, *Secretary.*

[Indorsement.]

The abandonment asked for by the Union Pacific Railroad Company of the original location of their road between Omaha and the valley of the Elkhorn, called No. 1 in Colonel Simpson's report, with the adoption of No. 3 or Mud creek route, is approved on the express condition that the company amend said No. 3 line, to make it conform to the Missouri valley or No. 4 route, with ruling grades, ascending westward and eastward, of 30 feet to the mile, as they propose.

ANDREW JOHNSON, *President.*

The honorable Secretary, under date of June 10, 1865, instructs the government directors to report periodically:

DEPARTMENT OF THE INTERIOR,

Washington, D. C., June 10, 1865.

SIR: The thirteenth section of the act of Congress approved July 2, 1864, entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes, approved July 1, 1862,'" provides that "the government directors shall, from time to time, report to the Secretary of the Interior, in answer to any inquiries he may make of them touching the condition, management, and progress of the work, and shall communicate to the Secretary of the Interior, at any time, such information as should be in the possession of the department;" and that "they shall, as often as may be necessary to a full knowledge of the condition and management of the line, visit all portions of the line of road, whether built or surveyed."

I am not aware that the government directors have, as yet, visited any portion of the line of the road, either as built or surveyed; nor do I find, on the files of the department, that they have, with perhaps a single exception, communicated any information to the department on the subject.

It seems to me to be important that they should visit, at an early period, and inspect the line of road; and as Lieutenant Colonel James H. Simpson, of the corps of engineers, has been detailed, by order of the President, to examine and report upon the location of the line west from Omaha, both as heretofore established and as now proposed by the Union Pacific Railroad Company to be changed, I respectfully suggest whether it would not be well for one of the directors, to be agreed upon by themselves, to accompany him, so that the department, in any action it may be called upon to take, may have the benefit of the information thereby to be obtained, and such suggestions as a personal inspection of the road and its location might qualify him to make.

Colonel Simpson is now at Cincinnati, Ohio, and will soon proceed to Omaha, and there await the receipt of his instructions, which are now being prepared, to be sent to him immediately.

It has occurred to me as desirable that the government directors should report to the department periodically, and I should be glad if they would do so as soon after their regular and special meetings as may be practicable.

I have addressed a communication to each of the other government directors, of even tenor and date hereof.

I am, sir, very respectfully, your obedient servant,

JAMES HARLAN, *Secretary.*

TIMOTHY J. CARTER, *Springfield, Illinois.*

The government directors report in compliance with the Secretary's instructions :

tions :

NEW YORK, July 8, 1865.

SIR: In compliance with the request contained in your letter of the 10th ultimo, the undersigned, government directors of the Union Pacific railroad, have the honor to say that they entered upon the duties of their appointment during the first week of October, 1864, and soon after the amended charter was accepted by the company. Their first act was to request and direct one of their number, Jesse L. Williams, esq., to visit the line of the road in Nebraska, and examine the location and progress made in construction. During the same month Mr. Williams proceeded to Omaha, and from thence a distance westward of over forty miles, and as far as the construction was under progress.

At our next quarterly meeting Mr. Williams made a report of his reconnoissance, dated November 15, 1864, which was, by our direction, forwarded to the Department of the Interior. A printed copy of that report (A) is hereto attached, and made part of this communication.

At your suggestion, contained in your letter of the 10th ultimo, we detailed one of our number, Springer Harbaugh, esq., to accompany Colonel Simpson, an officer of engineers, sent out by the orders of the President. By a telegram received on the 5th instant, we learn that Colonel Simpson and Mr. Harbaugh arrived at Omaha on the 4th instant, and on the 5th would proceed to examine the line. On his return we will instruct him to make you a detailed report, supplementary to this.

In October, 1864, when we assumed the duties of our appointment, we found that in the months of August and September previous a contract had been arranged and consummated by the executive committee, in which are vested the powers of the board when not in session, for the construction and equipment of the first one hundred miles of the road west of the Missouri river, at the rate of \$50,000 per mile, payable \$5,000 per mile in the stock of the company, and the balance in the currency bonds of the government and the securities of the company. From the first, the contract price appeared to us to be very high. At present, with the probable decline in the cost of labor and materials, and advance in the value of the government bonds, it seems extravagant. When made, however, there were many considerations justifying a liberal price, and among them was the pressing necessity for the immediate progress of the work, in order to meet the terms of the law and save the charter. Again, to construct and equip one hundred miles of the road by the time named in the law would require two millions of dollars or more, in cash, to be advanced before either the government bonds or the securities of the company could be made available. Capitalists could not be expected to make such advances in a frontier undertaking like this, so distant from commercial centres, and the entire completion of which to the Pacific was so remote in point of time, and its immediate profits, therefore, so problematical, without a large margin in the contract. Again, the summer of 1864 was a dark period in the progress of the war for the Union, and the financial future of the nation, upon which depended the value of these government currency bonds, and without which the road cannot be built, was very unpromising.

The undersigned have not in the past, nor could they in the future, of choice, favor the mode of building railroads by large contracts like this, which increases the cost of the work by large profits to contractors and capitalists. Nothing but public necessity can justify it. Such necessity, however, frequently arises in new countries, and we believe exists in respect to this work, as the law now stands. If the more economical plan of giving small contracts to those who actually perform the work, under free competition, payable in cash, could be pursued, thus saving intermediate profits, the cost of this great work could be reduced from twenty to thirty per cent. But, by the method in which government aid is furnished to the company, and which is according to the usage of government in aiding public works, the adoption of any such plan is impossible. We trust, however, that more moderate profits and free competition will be the rule in all future contracts.

We have considered it among our highest duties to aid the company in pressing forward the work, and to secure a good road. No national interest seems to us more urgent than the development of our vast mining regions, now greatly hindered in the tedious and expensive mode of access. If liberal compensation on the first section shall quicken the work in its progress towards the mountains, the country will find in this compensatory advantages.

At the quarterly meeting held in January, 1865, we found that Colonel Seymour, the consulting engineer of the company, had recommended a change of the line near Omaha, with a view of avoiding certain heavy grades of eighty feet per mile. In this recommendation Mr. Williams, one of our number, who had in the previous month of October carefully

inspected the old line, concurred, on condition that the basis assumed by Colonel Seymour as to the new route should be verified by careful survey. His views and reasons were embodied in a letter addressed to the vice-president of the company, (B,) dated January 2, 1865, a printed copy of which is attached and made part of this report. At the April meeting the line was changed, with the concurrence of the undersigned.

It may be proper to state here that two of our number, Mr. Carter and Mr. Harbaugh, were appointed government directors under the original act of Congress passed July, 1862. They attended at the organization of the company, and at all subsequent meetings of the board, until the acceptance by the company of the act of July, 1864. Previous to the time when it became necessary, under the act of July, 1862, for the President of the United States to fix the "point of the western boundary of the State of Iowa," Mr. Carter, at the instance of Mr. Harbaugh, and himself proceeded to Omaha and spent some time in examining that and other points for crossing the Missouri river, so as to connect with the railroads in Iowa. He submitted the results of his investigations to the President and the Secretary of the Interior in a personal interview, and thus assisted them in their action under the act of July, 1862.

The government directors have been punctual in their attendance upon the regular quarterly meetings of the board, and are gratified in being able to testify that they have always observed on the part of the company and the executive officers commendable zeal and an earnest desire to hasten the construction and completion of this great national work. The progress already made in the grading and also in the purchase and shipment of iron rails justifies our belief that at least fifty miles of the road will be finished and equipped by December next, and that the remaining fifty miles to make the number required by the charter will be finished by the time limited, the last of June, 1866.

The undersigned have been impressed with the importance of selecting for this work the great channel of commerce between the two oceans, not only a practicable route across the mountain ranges, but the very best route, and with this view have urged upon the board and the executive officers the propriety of very thorough and extended surveys. Though attended with great expense in this distant region, disturbed as it has been by Indian hostilities, yet experience proves that no money is more wisely expended than that which is applied in preliminary surveys. In this preparatory work the company has evinced commendable liberality.

During the season of 1864 four engineer parties were kept in the field, while a fifth, under orders to make surveys in the vicinity of the 100th meridian, was driven in by the Indians. The leading results reached during that year were: first, that the route *via* Denver City and the contiguous gold region, from the great elevation of that part of the mountain range and the depth and ruggedness of its cañons, is impracticable; and, secondly, that either of two routes crossing the Black Hills further north is quite feasible, though requiring some heavy work with high grades, probably equalling in difficulty for a short section the most rugged portions of the route of the Baltimore and Ohio railroad. One of these lines follows the Lodgepole creek from its junction with the South Platte through the Cheyenne Pass, reaching an elevation on the summit of eight thousand six hundred and sixty-one (8,661) feet above tide, requiring a tunnel fifteen hundred feet long. The other and more southerly route diverges from the South Platte valley near the mouth of the Cache la Poudre creek, following up the valley of that stream, and crossing the mountain summit at what is called the Antelope Pass, eight thousand and ninety-one (8,091) feet above tide. No tunnel is required at this pass. These surveys were connected at the Laramie plains, and thence continued westward to Salt Lake City, finding for the whole distance a practicable route. As the reports of the engineers, accompanying the annual report of the directors, give full and interesting details, nothing further than this general glance at the subject of these surveys and explorations is called for from us.

For the field-work of 1865 two full engineer parties have been sent out, with a third party, numerous enough for separate explorations, in advance. The instructions given by the vice-president for the season's work cover the location from the 100th meridian to the eastern base of the Black Hill range, together with a survey of the South Pass route, *via* the North Platte, and also the ascertainment of the fact whether or not a better route than the one surveyed last year from the Black Hills to Salt lake can be found further south, passing through the basin of the Green and Uintah rivers.

At the July session just closed no business of importance was transacted, with the exception of authority given to the executive officers to issue bonds and execute mortgages under the authority of the act of Congress, and especially that of March 3, 1865. Two distinct mortgages are contemplated: one on the road of the same amount and tenor of the government bonds, and the other upon the land grant to the amount of \$10,000 per mile.

Agreeably to your suggestion, we shall hereafter make quarterly reports to the department. Respectfully submitted.

CHAS. T. SHERMAN,
GEO. ASHMAN,
T. J. CARTER,
J. L. WILLIAMS,
Government Directors.

HON. JAMES HARLAN, *Secretary of the Interior.*

Hon. Springer Harbaugh, in obedience to instructions from the department of June 10, 1865, and at the request of the other government directors, visits the railroad, and under date of July 20, 1865, reports upon the condition, management, and progress of the work:

PITTSBURG, July 20, 1865.

SIR: In accordance with your suggestions, contained in your letter of the 10th ultimo, to myself and the other government directors of the Union Pacific Railroad Company, and in compliance with the request of my colleagues, I accompanied Lieutenant Colonel James H. Simpson, of the corps of engineers U. S. A., detailed, by order of the President of the United States, to examine and report upon the location of the line west from Omaha, both as heretofore established, and as now proposed by the Union Pacific Railroad Company to be changed.

We arrived together at Omaha on the evening of the 4th of July, and commenced work on our respective missions on the morning of the 5th.

As the matter of reporting upon the line heretofore established and the proposed line, as well as the engineering question involved in the case, are especially assigned to Lieutenant Colonel Simpson, whom I consider eminently qualified to give the government an impartial report on the questions within his instructions, I shall confine myself to my duties in accordance with the requirements of the 13th section of the amended act of incorporation, more particularly touching the condition, management, and progress of the works, and such information as should be in possession of the department.

My colleagues reported to you from New York, under date of the 8th instant. In compliance with their wishes and your suggestions, I have now the honor to respectfully report:

We commenced our reconnaissance at Omaha City, on the Missouri river, that being the eastern terminus of the road, as fixed by the President of the United States; proceeded along and over the proposed line westerly to the head of the first grade; from thence in a southerly direction down the Mud Creek Valley route to the valley of the Pappillon river; from thence up that valley to a point where the road intersects the first established line; and from thence westerly up the Platte valley as far as the road is graded.

The grading on the first fifty-three miles is nearly completed, and by the 10th of August can, and I believe will, be ready for the superstructure on this entire distance.

The bridging on the first thirty-two miles is composed of stone culverts, stone bridge abutments, trestle bridges, and Howe truss bridges.

The masonry on this part of the line is completed, except at Elkhorn river, which can be completed by the 5th of August. Of this thirty-two miles the structures are made of masonry for twenty-two miles, and of timber trestles for ten miles. The material for the truss bridges, as well as the material for the trestle bridges, is all delivered at Omaha framed and ready for raising.

As far as the grading and bridging has been completed it is done in a very thorough manner, excepting two or three of the culverts and some drain masonry near Omaha, which I cannot report as being done in a workmanlike manner, although I have heard the opinion expressed by railroad engineers that they considered the work sufficiently permanent.

The masonry has been built of a very good limestone, found near the Pappillon river and in the Missouri river bluffs, excepting the bridge abutments at the Elkhorn river, which are built of a dark-colored coarse sandstone. Very little is known as to the durability of this stone. When first quarried it is quite soft, but I feel certain will harden and improve by exposure. I examined the same kind of stone where it had been exposed in a mill-dam five years, and it certainly had hardened and improved where exposed. I also visited and examined the quarry from whence it was taken. I believe most of the sandstone in Nebraska is about of the same quality as used at the Elkhorn bridge, and may have to be used extensively hereafter. I investigated and inquired as to its durability and quality as much as I could, and the general evidence of the oldest inhabitants is that it will harden and improve by exposure.

The road-bed where completed is well finished up, and about 12½ to 14 feet in width, with side ditches about 2 feet deep, 4 feet wide at top, and 2 feet wide at the bottom, with 5 to 6 feet *berme* in the deep cuts, which are generally from 30 to 40 feet wide. The subsoil through which the cuts are made is an argillo-arenaceous earth, little liable to degradation by rain or frost.

No gravel suitable for ballast has been discovered along or even contiguous to the line of road, consequently the common earth will have to be used for ballasting material. It will hardly be possible or practicable, at least for some years, to use stone as a ballast on account of the expense of procuring and moving such material along the line of road.

The road-bed up the valley of the Platte and for some miles above Fremont is raised from two to three feet above the surface, with sufficient side ditches for drainage.

The grade after crossing the Elkhorn, up as far as the grading is completed, is not greater than the natural ascent of the valley. The contractors for the first 100 miles have a number of patent excavators, and can push forward the grading up the valley very expeditiously.

Laborers within a short time have become abundant. Mr. Henry, the general superin

tendent for the contractors, assured me that by the 1st of October next the grading and bridging, with the exception of the bridge over Loup fork, will be completed on the first 100 miles. I think this assurance can be made good; as the entire grading of the first 53 miles will soon be finished, they will be able to concentrate a heavy force on the western end of the contract.

On account of the great scarcity and high price of lumber they move their shanties and camp tents westward on the work as it progresses, the pine lumber of some of the shanties having been brought from the Mississippi river, entirely across the State of Iowa, over 300 miles.

On our return to Omaha we passed over and examined that portion of the line first established between Stations 900 and 150.

Superstructure.—Material for track had been delivered at Omaha at date, July 10, as follows: 9,000 cross-ties, 7,780 bars railroad iron, 7,530 railroad chairs, 75,000 pounds railroad spikes; and on board of steamers on the Missouri river between St. Louis and Omaha, 5,582 bars railroad iron, 3,710 railroad chairs, 164,550 pounds railroad spikes.

In addition to the above, 40,000 cross-ties are delivered on the banks of the Missouri river twelve miles above Omaha, which are being rafted down the river as rapidly as possible. For this information I am indebted to Mr. J. E. Henry, superintendent in charge of the work.

I am informed by the transportation agents at Pittsburg that considerable iron, chairs, and spikes are being shipped daily, and from what data I have been able to gather, sufficient spikes and chairs for the first 90 miles are at Omaha and in transit, and sufficient rails in transit and at Omaha for 60 miles of track.

About one-third of the ties are oak and black walnut, and the balance cottonwood. The question of kind and quality of timber for ties is a very important one. All railroad men will readily admit that cottonwood ties without some kind of preparation will not answer the purpose or last sufficiently long to warrant the expense of laying them. I am assured that hard wood ties cannot be procured in sufficient quantities, except at an enormous expense, to meet this contingency.

The company have erected on the river bank at Omaha a large building for Burnettizing, with a large cylinder 75 feet long and 61 inches in diameter, capable of receiving and holding 250 ties at a time and Burnettizing two batches or 500 ties per day, and expected to put it in operation in a few days. This establishment is under the general superintendence of Major Luther S. Bent, to whom I am indebted for the following account of it:

"Burnett's process for preserving wood, &c., patented in England in 1838.

"Solution.—Chloride of zinc first introduced in United States by the locks and canals, at Lowell, Mass., 1850. Philadelphia, Wilmington, and Baltimore Railroad Company used it since 1860 with complete success.

"Effect on wood.—It hardens and improves its texture. It enters into permanent chemical combination with the ligneous fibre, and does not come to the surface of the wood by effervescence, like other crystallizable salts. It preserves wood and other articles from the adherence of animal and vegetable parasites, and also from attacks of insects. It completely preserves wood from wet and dry rot, and renders the wood unflammable when used of a certain requisite strength."

I am truly in hopes this process will prove successful, as it is a very important matter to the road and the company. It was claimed by all the railroad men with whom I conversed in Nebraska that the cottonwood ties hold a spike very well, and some contended as well as oak.

The company have a substantial saw-mill at Omaha 42 by 60 feet, with boiler and engine-house 12 by 65 feet, nearly ready to commence work. They have also two portable saw-mills on the river sixty miles above and one twelve miles above Omaha entirely employed sawing ties. With these facilities sufficient ties can be procured, and as speedily as they will be able to Burnettize and lay them on the track.

It is proposed to lay 2,500 ties to each mile, with at least four hard-wood ties to each rail. I was informed by Mr. Henry that 300 gross tons of the railroad iron is 56 pounds to the lineal yard, and the balance 50 pounds to the yard; 2,000 tons are mostly 24 feet in length, and the balance principally 28 feet long.

Colonel S. Seymour, the consulting engineer, informs me that the company have now two full corps of engineers engaged in making further surveys, through the Rocky mountains, west of the head of the Great Platte valley. One of these parties is running west from the eastern slope of the Black Hills, and the other party is running east from the Great Salt Lake valley. From information received at Omaha on the 10th instant it is ascertained that the operations of these parties are being very much embarrassed by the fact that hostile Indians continue their depredations through the country over which it is proposed to examine.

Up to the 10th instant the following equipments were provided for the road:

One locomotive at Omaha, received there July 8, 1865.

One locomotive on Hannibal and St. Joseph railroad, awaiting shipment.

One locomotive on Hannibal and St. Joseph railroad, used in getting our cars over that road.

Two locomotives on the Chicago, Alton and St. Louis railroad, used in transporting our iron over that road.

Twenty platform cars on the Chicago, Alton, and St. Louis railroad, in same service as the two locomotives.

Twenty platform cars at Quincy, and between that and St. Joseph three cars are loaded with the trucks and other materials for passenger and box cars, which are framed, ready to be set up on reaching Omaha.

Ten platform cars on the road to Quincy, loaded as above.

The thirty platform cars, (loaded,) are being pushed forward to Omaha as rapidly as transportation can be obtained for them on the Hannibal and St. Joseph railroad and Missouri river.

The company have purchased seventy cars of all kinds. They are obliged to send forward the passenger cars in sections, to be set up at Omaha.

The track laying was commenced July 10, 1865.

The superintendent advises me that one million (1,000,000) of brick for shop buildings are under contract and being made as rapidly as they will be required; 250,000 have been burned and are ready for delivery whenever the company can determine where these buildings are to be located. If the line first established, west from Omaha, has to be adhered to, it is supposed the original plans and locations for buildings will have to be materially changed, consequently there is a delay in the erection of same until the matter of location of line immediately west from Omaha is definitely settled. The officers in New York inform me that machinery for the work-shops have been sent forward.

I am informed that the right of way from the company's steam saw-mill in Omaha, through Douglas, Sarpey, and Dodge counties, has been generally arranged for, excepting with the non-resident land-owners of Dodge county, and the requisite legal steps are being taken to acquire it from them.

The question of fuel for the use of the road should engage the prompt and earnest attention of the company. There is undoubtedly an insufficiency of timber on the eastern section of the road, for even a sparse population, and coal has not been discovered in sufficient quantity and quality to warrant mining. I shall insist upon the company making early explorations for coal by boring. No investigations to any great extent, that I could hear of, have ever been made in Nebraska. The nearest coal I could learn of, in sufficient strata and quality for mining, is about sixty miles east of Omaha, in the State of Iowa. My judgment is, from the various indications I have seen, that the coal will be found, although possibly at considerable depth and expense of shafting. With cotton and other soft kinds of wood at eight or nine dollars a cord on the river, will certainly warrant the company in making speedy examinations.

My colleagues, in their report, have fully explained as to the contract for construction and equipping the first one hundred miles. After a personal examination, and a full knowledge of what has been accomplished up to the present time, I feel satisfied that the contractors have pressed forward this work with commendable zeal. With no railroad connexions short of one hundred and fifty in 1864, and at this time one hundred and thirty miles from the nearest terminus, with an unreliable, changeable, expensive river navigation, scarcity of laborers, high price of materials, and the innumerable difficulties that all conversant with railroad management have had to contend with during 1863 and 1864, has necessarily given them a difficult contract to fulfil. The next two or three hundred miles of road can be built at a small cost compared with the rate at which the first one hundred miles was contracted.

I desire to call the attention of the department to the fact that the Union Pacific railroad cannot be speedily, vigorously, or economically constructed until we get railroad connexions with the east. The several railroads of Iowa pointing to connexions, either at the terminus or at some point on the main trunk of this grand chain, do not appear to be making that rapid progress in construction westward which I would suppose their own interests would warrant, the State of Iowa desire, and which would contribute so greatly in the prosecution of this national work.

The Chicago, Iowa, and Nebraska railroad, now the Iowa division of the Chicago and Northwestern Railway Company, is open to Boonesborough, Iowa, a distance of 130 miles east from the Missouri river.

The Mississippi and Missouri railroad is open to Grinnell, Iowa. This road, I am informed, is under the management of the Chicago and Rock Island Railroad Company, a corporation largely interested in the completion of this Iowa arm.

The large traffic and emigration over the plains would, at this time, tax the capacity of most any one of the oldest established railways of the east, particularly the westward-bound trade, and when we take into consideration that this overland business is merely in its infancy, it should encourage the proprietors of the two companies just named, as well as the Burlington and Missouri River railroad, the Dubuque and Sioux City railroad, and other railways pointing to the Pacific, to a speedy completion of their respective undertakings, that they may accommodate the local trade on their several lines, through the richest and most beautiful countries on the face of the earth, besides share the commerce of this great national thoroughfare, stretching its Iowa arm across the continent, binding us indissolubly together, and destined to convey the richest and most abundant traffic the world has ever witnessed. New discoveries of gold, silver, copper, iron, oil, coal, &c., are constantly being made, and

all apparently waiting for the machinery and other facilities to assist in developing the incalculable mineral wealth of our new territories.

It certainly should be gratifying to every American that new resources are being constantly discovered to assist the nation in bearing its new and heavy responsibilities. Congress has shown wisdom in its munificent aid to this undertaking, which, I confidently believe, will contribute largely to the development of the resources of our nation, and be one of the means of making our burdens light.

Notwithstanding the many difficulties in constructing a railway in a frontier country, I have full confidence it can, and should be, completed within the time limited by the act of incorporation.

I have received a communication from a committee of citizens of Omaha City, directed to Lieutenant Colonel Simpson and myself, touching the location of the road west from Omaha, stating their grievances, and various matters relating to the terminus of the road, and consider it my duty to furnish the department with a copy of the same herewith enclosed.

There being some matters which I thought best to bring to the attention of the company, I have addressed a communication to Major General Dix, the president, and have the honor of enclosing you a copy herewith.

I will gladly communicate any intelligence within my knowledge which the department may at any time wish to know.

I am, sir, very respectfully, your obedient servant,

SPRINGER HARBAUGH,
Government Director Union Pacific Railroad Company.

HON. JAMES HARLAN,
Secretary of the Interior, Washington, D. C.

The Secretary acknowledges receipt of the above report of Mr. Harbaugh, and draws his attention to his making no allusion to the particular points of inquiry respecting the two routes west from Omaha:

DEPARTMENT OF THE INTERIOR,
Washington, D. C., August 12, 1865.

SIR: I have to acknowledge the receipt of the report of your recent visit along the line of operations of the Union Pacific railroad west from Omaha, and of the two papers which accompanied the same.

I have perused your report with much interest, but regret to perceive that you make no allusion to the particular points of inquiry respecting the two routes contained in my letter to yourself and the other government directors of the 10th of June last.

The omission was, no doubt, unintentional, and I should be glad if you would supply it by a supplemental report at your earliest convenience.

I am, sir, very respectfully, your obedient servant,

JAS. HARLAN, *Secretary.*

SPRINGER HARBAUGH, Esq., *Pittsburg, Pa.*

Mr. Harbaugh reports in reply:

UNION PACIFIC RAILROAD COMPANY,
President's Office, 13 William street, New York, August 26, 1865.

SIR: I had the honor of transmitting you a detailed report, under date of the 20th ultimo of my recent visit along the line of operations of the Union Pacific railroad, more particularly touching the condition, management, and progress of the work. In compliance with your suggestions, contained in your letter to the government directors of the 10th of June, and particularly expressed in your communication to me of the 12th instant, I now beg leave to submit a supplemental report upon the location of the road between Omaha and the Platte valley, both as heretofore established and as now proposed to be changed by the Union Pacific Railroad Company.

At the date of my first report, as you were advised by letter of the 15th instant, I had not all the data I desired to enable me to form correct conclusions as to the merits of the two routes, until I had an opportunity to examine the reports of the surveys made at the request and under the direction of Lieutenant Colonel Simpson before leaving Omaha, and which reached the office of the company in New York only a few days since.

After a personal inspection of the road and its location, and all matters pertinent thereto, I will endeavor to give the department an impartial and candid report, as fully as I am qualified to make, with an eye single to the interests of the entire nation which I have the honor to represent.

In accordance with the original act of incorporation, section 14, "the Union Pacific Railroad Company is authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of the State of Iowa, to be fixed by the President of the United States, upon the most direct and practicable route, to be subject to his approval," and within a designated time; and it is further provided, in section 7 of said act, that in fixing

the point of connexion of the main trunk with the eastern connexions, it shall be fixed at the most practicable point for the construction of the Iowa and Missouri branches.

That point was definitely settled by President Lincoln at Omaha City, on the Missouri river. The company designated the general route, and filed a map for the first one hundred miles in the Department of the Interior.

A contract for the construction and equipment of the first one hundred miles westward was made on the terms and conditions as set forth in the report of my colleagues to the department of the 8th ultimo. During the month of October, 1864, Hon. J. L. Williams, at the request of the other government directors, visited the line of operations of the road, in company with Colonel S. Seymour, the consulting engineer of the company. On their return, Colonel Seymour, in a communication to the company, under date of December 21, 1864, strongly recommended a change in the location of a portion of the line between Omaha and the Elkhorn river, a point about twenty-three miles, by the first located line, west from the Missouri river, on the basis that the maximum grades could be reduced from eighty to forty feet per mile, ascending in an easterly direction, and from sixty-six to forty feet per mile, ascending in a westerly direction, notwithstanding it would increase the distance, as he then supposed, about nine miles. Mr. Williams, in a communication to the company, under date of January 2, 1865, a copy of which my colleagues have furnished you with, concurred with Colonel Seymour in advising the change, on the condition that after actual surveys were made the basis assumed should hold good.

The aggregate cost of construction was assumed to be the same upon both routes. The subsequent surveys made by the company for the location of that portion of the proposed new route, between stations 150 and 900, fully verified the assumptions as to maximum grades, and more than verified them as to comparative distances, the length of the new route being found only 8.72 miles longer than the first location. Consequently, at a meeting of the board of directors last spring, the change was made, and the directors on the part of the government concurred therein.

I have carefully examined the maps, profile, and report of survey made at the instance of Colonel Simpson, United States engineers, for the purpose of enabling him to form correct conclusions as to the assumptions of the company in regard to the change of location, which show results still more favorable for the proposed new route.

One of the surveys made down the valley of the Missouri river a few miles, to a deep depression in the bluffs, from thence to Station No. 421, where this survey intersects the graded road in the valley of Mud creek, gives a line 3,580 feet shorter than the line as now graded between the same points, *via* Station 150, and which gives a line only 8.04 miles longer than the old or first located line between Omaha and the valley of the Elkhorn river, and susceptible of being constructed at a moderate expense, with a maximum grade of thirty feet per mile in both directions.

I am fully convinced, after examining the surveys and estimates on file in the office of the company, that after the track shall have been laid on the route as at present graded, which has been asked to be approved by the President of the United States, instead of the original location, the company can, at any time hereafter, with locomotives and construction trains to assist in doing the work economically and expeditiously, reduce the maximum grades between the Missouri river, at Omaha, and the Platte valley to thirty feet per mile in each direction, at an expenditure not exceeding \$250,000; at the same time the distance will only be increased a fraction more than eight miles over the line as originally located, with maximum grades of sixty-six feet per mile ascending westerly, and eighty feet per mile ascending easterly.

I am well satisfied that it is perfectly impracticable to bring the original location to this maximum of grade, so as to have a railroad that can be economically and safely worked.

By the action of the company, duly authenticated by its officers, they pledge themselves to a further reduction of grade, in both directions, as soon and as speedily as the increased business of the road will require it. I have requested that a copy of this pledge be duly furnished (properly authenticated) to the government.

I am well convinced that as soon as eastern connexions are made, the volume of trade and traffic will be so great that it will be manifestly the interest, as well as the policy, of the company, to reduce grades to the lowest possible maximum for the safe and economical working of the road.

I consider it my duty to mention that surveys were made, at the request of Colonel Simpson, from the mouth of Mud creek, down the Pappillon valley, to the Missouri river. It is ascertained that the maximum grade can be reduced to twenty feet per mile from the Missouri river, at the point mentioned, to the Platte valley, at the Elkhorn river, and thirty feet per mile in the contrary direction, from the Platte valley to the Missouri river; and from the estimates on file in the office of the company, an expenditure of \$132,800 would complete a branch from the mouth of Mud creek to the Missouri river, and at the same time shorten the line about three miles over the proposed amended line.

Every intelligent railway manager will admit that the adoption of high gradients is an error fatal to economical working of a railway.

Heavy gradients are generally adopted from notions of economy, want of capital, &c.,

but they generally entail permanent expenses that would well pay for largely increased outlay in the beginning.

Generally, the estimated maximum of business on most of the railways in our country has been too low. My ideas and estimates of the business to be done on the Union Pacific railroad, particularly as soon as completed to the base of the Rocky mountains, are possibly in advance of the calculations of most persons not conversant with the present heavy overland trade and travel.

In the location of this road, the fact of a large and constantly increasing business must be kept in view. It must be considered the work of the nation, without any particular sectional or local interests, at the expense of the great majority in interest.

It is patent to all railroad managers that high gradients greatly increase the risk of accidents. It is impossible to have that control over a train on a high gradient that can be kept on a low one. Close observation convinces me that it is better to have two miles of thirty feet gradient than one mile of sixty feet gradient. I hope that Colonel Simpson will discuss the matter in his report to the department as to the workings of trains on high and low gradients, with advantages and disadvantages, and give the department such facts and calculations as a practical civil engineer conversant with such subjects only can do.

I have examined the subject of change of location of the line west from Omaha, both as heretofore established and as now proposed by the company to be changed, as fully as I am capable, for and against, present and prospective, with no interest to subserve save the government which I have the honor to represent, and would respectfully recommend a change in the location from the one first made to the new one, which his excellency the President of the United States has been asked to approve, and which the board of directors unanimously concurred in, and with the understanding that the company place on file the pledge, as heretofore noted in my report, for a further reduction of grade as soon and as speedily as the business of the road will require it.

I am, sir, very respectfully, your obedient servant,

SPRINGER HARBAUGH,
Government Director Union Pacific Railroad Company.

Hon. JAMES HARLAN,
Secretary of the Interior.

The president reappoints, October 21, 1865, the following named persons as government directors, to serve until the first Wednesday in October, 1866, and they have accepted their commissions :

Springer Harbaugh, of Pittsburg, Pennsylvania :

Timothy J. Carter, of Springfield, Illinois.

George Ashman, of Springfield, Massachusetts.

Charles T. Sherman, of Mansfield, Ohio.

Jesse L. Williams, of Fort Wayne, Indiana.

General John A. Dix, president of the railroad, makes his annual report for 1865 :

UNION PACIFIC RAILROAD COMPANY,
President's Office, 13 William street, New York, November 4, 1865.

SIR : The act of Congress approved July 1, 1862, requires the Union Pacific Railroad Company to make an annual report, and present the same to the Secretary of the Treasury, on or before the first day of July in each year. The report was made for the year 1864, as directed by the provision referred to. But in consideration of the public importance of the great enterprise, which is to connect the Atlantic and Pacific oceans by a continuous line of railway communication, I have thought proper to anticipate the close of the year by preparing and transmitting to your department, to which by the resolution of Congress, approved the 3d March, 1865, all maps, profiles, reports, &c., relating to this company were directed to be transferred a summary statement of the progress of the work since the 1st of January last, and its condition at the present time.

On the 5th of January last, at the suggestion of the consulting engineer, Colonel Silas Seymour, and the government directors, the board decided, by a unanimous vote, to change the line from Omaha westward, and instead of crossing the high and undulating table-land between the Missouri river and the valley of the Elkhorn, to run down into the valley of the Pappillon, deflecting some five and a half miles southwardly from the line first established, and making the distance westward from Omaha thirty-one miles by the new line, instead of twenty-three miles by the old, to the point of their junction, or an addition of eight miles.

The old line had an ascending grade eastward of 79.2 feet per mile for about five miles, with a curvature of 1,432 feet radius, and maximum grades ascending westwardly of 66 feet per mile, the longest three miles in extent from the valley of the Missouri. It was to avoid the inconveniences of these steep grades at the eastern terminus of a railway, which is to perform the

commercial business of the two shores of the American continent, that the company decided to change the line and to carry it to the valley of the Pappillon, where grades not exceeding forty feet per mile in either direction are obtained. In making the change the directors were governed by considerations arising out of the permanent interests of the company and the business community, and by these alone. As the change required the approval of the President of the United States, and as you were of the opinion that, in a matter of such grave importance, the government should have the advice of an engineer appointed by itself, and instructed to report his opinion after a personal examination of the two lines, Lieutenant Colonel Simpson, of the corps of engineers, was designated by the President of the United States for the purpose. After the most elaborate exploration of the district of country traversed by the two lines, and after the most careful consideration, he made his report, sustaining, in all respects, the action of the company. Springer Harbaugh, esq., one of the government directors, was requested by you to make a similar personal examination. The service was performed in the same careful and thorough manner, and two full reports were made by him approving the action of the company in all particulars. The President of the United States has approved the change of line on the condition that the grades shall be still further reduced to 30 feet per mile, as suggested by the directors, when the business of the company shall require it.

While these proceedings were in progress, embracing a period of four months, from the middle of May to the middle of September, the company was unable to open any portion of its road, though prepared to do so. While the directors felt perfectly assured that the change of line would be approved by the government, they did not think it proper to act on that opinion, however confidently entertained, until the President had decided the question. They have thus lost, to a considerable extent, four months of the most valuable portion of the year for work, and have been greatly retarded in the progress the public were led to expect. But they appreciate justly the motives by which you were governed, and very cheerfully admit that the settlement of the question in the manner recommended by yourself has been of the utmost advantage by silencing misrepresentation, and by placing the government, after the fullest examination by its own agents, on the side of the company in a matter so gravely affecting the interests of all concerned in this great enterprise.

On the 19th day of October sixteen miles of track had been laid from the Missouri river, and at this time the number of miles in operation cannot be less than twenty. Arrangements have been made to go on at the rate of half a mile per day, and nothing can interfere with their execution but inclement weather.

The company has five locomotives and seventy cars on the road. Machine shops and stationary buildings of the most permanent character are in process of construction, and will be finished in December. The grading of the first one hundred miles is nearly completed and ready for the iron, and the grading on the second one hundred miles has been commenced.

The first sixty miles of track will be laid by the end of January at furthest, and no doubt is entertained that the first one hundred miles will be in operation by the first of July next, in compliance with the requirements of the act of Congress. The directors have the same confidence that one hundred more will be in operation by July 1, 1867; and they are not without hope that they will by that time have reached the one-hundredth meridian, two hundred and fifty miles from Omaha, where the main line and the eastern division, commonly called the Kansas line, are to unite.

A party of engineers has been engaged in surveying at Spanish fork, and west from Salt lake to the valley of the Humboldt; and another party has been surveying up the Cache la Poudre to the Laramie river; a third from the one-hundredth meridian west, and a fourth has been engaged in locating the second one hundred miles of road.

Every effort has been made by the directors to push on the work with a despatch corresponding with its importance and with the anxiety of the public in regard to its progress. Their expenditures already amount to three millions and a half of dollars, the whole of which has been derived from private contributions.

The great embarrassment which the directors have had to encounter, and will have to contend with until it is removed, is the want of a railroad connexion from Omaha eastward through the State of Iowa. Iron and equipments have to be transported by the Mississippi and Missouri rivers, and the condition of the latter is such that it is only available for transportation during a portion of the year. It is of the utmost importance to the company and to the business community that an outlet by railway from the eastern terminus should be speedily secured, in order to obviate the inconvenience of being confined to a limited portion of the year in placing its materials where they are needed, and of making heavy expenditures at an earlier period than would otherwise be necessary.

I am, very respectfully, your obedient servant,

JOHN A. DIX, *President.*

HON. J. HARLAN, *Secretary of the Interior.*



The government directors make their report:

OFFICE OF THE UNION PACIFIC RAILROAD COMPANY,
New York, November 3, 1865.

SIR: The directors of the Union Pacific railroad having just closed a meeting in this city, held in place of the regular quarterly meeting fixed in the by-laws for the first Wednesday in October, the undersigned government directors, in pursuance of the request contained in your letter of the 10th June, respectfully present the following brief report:

At the time of our last quarterly report, dated July 8, 1865, one of the undersigned, Mr. Harbaugh, in behalf of the government directors, was on a visit to the line of operations in Nebraska Territory. His two several reports to the department—one dated July 20, relating to the progress of construction, and the other dated August 26, referring to the question of location between Omaha and the Platte valley—presented fully every point of public interest, leaving little for us to say further than to refer to these documents.

The action of the board at this meeting has referred chiefly to its current business, the election of officers, &c. As a preparatory step towards the important matter of bridging the Missouri river, a resolution was adopted as follows:

"Whereas it is the settled purpose of this company to construct a bridge across the Missouri river from its terminus at or near Omaha, to afford a convenient connexion for the railroads that may hereafter be constructed from the east to that point, to be completed by the time any such road is ready to make the connexion: Therefore—

"Resolved, That the officers of this company be requested to instruct their engineers to make the necessary surveys, plans, and estimates of cost, and to report to this board at an early day."

Colonel Seymour, consulting engineer of the company, who for several weeks past has been on the line of construction, returned during this meeting of the board, having left Omaha the 28th of October. He reports twenty miles of track laid, rails enough on the ground for seventy miles in all, with about thirty thousand cross-ties delivered at Omaha, one thousand to twelve hundred of which (of the cottonwood) are undergoing the process of Burnettizing daily. The engine-house and other station buildings at Omaha, planned for the future wants of the road, but now being erected only in part, he reports as under satisfactory progress, and will be under roof before the winter. Brick for the walls, with stone in the foundations, are the materials used. He reports further, that the grading on the first one hundred miles is very nearly completed, and that a large force is now employed on the second one hundred miles, that the bridging for the first thirty miles, including the Elkhorn, is nearly completed, and thence to the Loup fork the timber for bridges is delivered at Omaha and framed. The bridge over the Loup fork, about ninety-five miles from Omaha, is known to be the most difficult and longest structure east of the Black Hill range next to the one over the Platte river.

The engineer informs us that he has just visited that stream with a view of planning this bridge, and finds that it will require about fifteen hundred feet waterway. His further examination of the Platte valley confirms its very favorable character as respects grading. He represents that the roadbed to the vicinity of Fort Kearney, and probably for two hundred miles beyond, can be prepared more rapidly than the track can be laid down, so that the limit to the extension of the road westward seems to lie in the delivery of the iron rails and cross-ties. Notwithstanding the uncertainty of the Missouri river navigation, now the only means of transporting these materials, the executive officers of the board express great confidence in being able to complete the first one hundred miles within the time named by the act of Congress, to wit, the last of June next.

The reports of the several engineers engaged in preliminary surveys during the past season in the mountainous districts further west will probably be received by the January meeting of the board, throwing further light on the definite location of that more difficult portion of the line.

We are, very respectfully, your obedient servants,

J. L. WILLIAMS,
T. J. CARTER,
SPRINGER HARBAUGH,

Government Directors, Union Pacific Railroad Company.

HON. JAMES HARLAN,
Secretary of the Interior, Washington, D. C.

Union Pacific railroad, eastern division.

The "Leavenworth, Pawnee, and Western Railroad Company" accept the provisions of 9th section of "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean," &c., approved July 1, 1862:

DEPARTMENT OF THE INTERIOR,

Washington, D. C., December 23, 1862.

SIR: Your letter of the 15th ultimo, accepting the provisions of the act of Congress of July 1, 1862, to aid in the construction of a railroad, &c., from the Missouri river to the Pacific ocean, was duly received and filed in this department.

Very respectfully, your obedient servant,

CALEB B. SMITH, *Secretary.*

J. H. McDOWELL, Esq.,

President Leavenworth, Pawnee, and Western Railroad Co., Leavenworth City, Kansas.

The "Leavenworth, Pawnee, and Western Railroad Company" changes its corporate name to "Union Pacific Railway Company, Eastern Division:"

UNION PACIFIC RAILWAY COMPANY, EASTERN DIVISION,

New York, June 17, 1863.

SIR: You will please take notice that the "Leavenworth, Pawnee, and Western Railroad Company" of Kansas, named and specified in section seven (7) of an act of Congress entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean," approved July 1, 1862, has duly changed its name, pursuant to the law of the State of Kansas, to the "Union Pacific Railway Company, Eastern Division," by which name and style it will henceforth be known; and will proceed to accept all the benefits and provisions of said act and to construct the said railroad named therein, under and in pursuance of the provisions of said act.

All communications will be addressed accordingly.

Very respectfully,

J. C. FREMONT, *President, &c.*

Hon. J. P. USHER, *Secretary of the Interior.*

DEPARTMENT OF THE INTERIOR,

Washington, D. C., June 25, 1863.

SIR: I have to acknowledge the receipt of your letter of the 17th instant, informing this department that the Leavenworth, Pawnee, and Western Railroad Company of Kansas has, pursuant to a law of that State, duly changed its name to the "Union Pacific Railway Company, Eastern Division," and will proceed to accept the benefits and provisions of the act of July 1, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean."

Very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

J. C. FREMONT, Esq.,

President Union Pacific Railway Company, Eastern Division, New York.

Mr. Fremont desires to substitute another letter for that of June 17, 1863:

UNION PACIFIC RAILWAY COMPANY, EASTERN DIVISION,

New York, June 30, 1863.

SIR: From your favor of the 25th instant I discover the existence of errors in mine of the 17th, which I desire to rectify. I therefore enclose to you another letter which I desire to substitute for the previous one; and I also return your reply, asking that you will substitute another corresponding to my last letter, and return my first one.

I am yours, very truly,

J. C. FREMONT,

President Union Pacific Railway Company, Eastern Division.

Hon. J. P. USHER, *Secretary of the Interior.*

Mr. Fremont's second letter referred to above:

UNION PACIFIC RAILWAY COMPANY, EASTERN DIVISION,

New York, June 17, 1863.

SIR: You will please take notice that the "Leavenworth, Pawnee, and Western Railroad Company" of Kansas, named and specified in section seven (7) of an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean," approved July 1, 1862, has changed its corporate name, in accordance with permission given by the laws of the State of Kansas, to the "Union Pacific Railway, Eastern Division."

You will also please to take notice that said company, in accordance with what are believed to be its rights under said law of Congress, intend to construct said Pacific railroad

and telegraph from the one hundredth meridian of longitude west to the western boundary of the Territory of Nevada, and hereby accept the conditions of said act, and the rights and privileges granted to the Union Pacific Railroad Company as specified therein.

I have the honor to be your obedient servant,

J. C. FREMONT,

President Union Pacific Railway Company, Eastern Division.

Hon. J. P. USHER, *Secretary of the Interior.*

DEPARTMENT OF THE INTERIOR,

Washington, D. C., July 6, 1863.

SIR: I acknowledge the receipt of your letter of the 30th ultimo, enlarging your claim of corporate powers, under the act of Congress, approved July 1, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean."

Whether the "Union Pacific Railway Company, Eastern Division," has the powers claimed by you, under this act, is not the province of this department to decide at this time; but it is not doubted that Congress will readily grant them, if they do not already exist, whenever your company shall complete its road to its western termination, by virtue of the charter granted by the State of Kansas.

It is suggested that the correspondence on the subject, being a matter of record, had better remain on the files of this department. My letter to you of the 25th ultimo is, therefore, herewith returned.

Very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

JOHN C. FREMONT, Esq.,

President Union Pacific Railway Company, Eastern Division, New York.

The company accepts the provisions of an act of Congress entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, &c.'"

DEPARTMENT OF THE INTERIOR,

Washington, D. C., September 9, 1864.

SIR: I hereby acknowledge the receipt of your letter of the 5th instant, transmitting a certified copy of a resolution passed by the board of directors of the Union Pacific Railway Company, Eastern Division, to accept the provisions of the act of Congress entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes,'" approved July 1, 1862, and July 2, 1864, and to inform you that the said resolution has been placed on the files of this department.

I am, sir, very respectfully, your obedient servant,

W. T. OTTO,

Acting Secretary of the Interior.

JOHN P. DEVEREUX, Esq.,

Secretary Union Pacific Railway Company, Eastern Division, St. Louis, Mo.

J. D. Perry submits to the President of the United States a sworn statement that he is president of the company, and that about 40 consecutive miles of said railroad are completed:

To his excellency the President of the United States of America:

John D. Perry states, on oath, that he is the president of the Union Pacific Railway Company, Eastern Division, late the Leavenworth, Pawnee, and Western Railroad Company. That said company have completed about 40 consecutive miles of said railway and telegraph, ready for the service contemplated by the acts of Congress of 1862 and 1864, supplied with all the necessary drains, culverts, viaducts, crossings, sidings, bridges, turnouts, watering places, depots, equipments, furniture, and all the other appurtenances of a first class railroad; the rails and all the other iron used in the construction and equipment of said road are of American manufacture, of the best quality, as will appear by the report of the chief engineer. That the said 40 miles of railroad and telegraph line is located from the Missouri river, at the mouth of the Kansas river, on the south side thereof, so as to connect with the Pacific railroad of Missouri. A diagram of said road accompanies this affidavit and application for the appointment of the commissioners as provided by law.

JOHN D. PERRY.

STATE OF MISSOURI, *St. Louis county:*

This day came personally before me the above-named John D. Perry, and made oath that the matters stated in the foregoing affidavit are true. I do further certify that the St. Louis circuit court, of which I am sole judge, is a court of record.

In testimony whereof, I have hereunto set my name and caused the seal of said court to be affixed. April 25, 1865.

[L. s.]

JAMES C. MOODEY.

Judge of St. Louis Circuit Court.

Attest:

F. A. H. SCHNEIDER,

Clerk of St Louis Circuit Court

The President appoints commissioners to examine the road :

EXECUTIVE MANSION, *April 29, 1865.*

By virtue of the authority vested in the President of the United States by the sixth section of an act entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes,'" approved July 2, 1864, Daniel R. Garrison, of Missouri, Henry C. Moore, of Missouri, and Richard W. Thompson, of Indiana, are hereby appointed commissioners to examine the road or roads authorized by said acts to be constructed by the "Union Pacific Railroad Company, Eastern Division," and make report to him in relation thereto, as contemplated and specified by said acts.

ANDREW JOHNSON.

Mr. Thompson declining, Hon. Samuel J. Crawford, of Kansas, was appointed by the President May 5, 1865, commissioner in his place.

REPORT OF THE COMMISSIONERS.

To his excellency Andrew Johnson, President of the United States :

The undersigned, appointed by your excellency commissioners to examine the railroad and telegraph line constructed by the Union Pacific Railroad Company, Eastern Division, respectfully feel leave to say that they have passed over said road and examined its construction and equipment, and now have the honor to report :

That said Union Pacific Railroad Company, Eastern Division, have constructed a railroad beginning at a point on the line between the States of Missouri and Kansas, on the south side of the Kansas river, as near the mouth thereof as it is practicable for the Pacific railroad of Missouri to connect therewith; and thence, crossing to the north side of the Kansas river on a pile bridge, and up the valley of the said river, on the north side thereof, to a point opposite the city of Lawrence, in Kansas, a distance of 38.25 miles.

They have also built a railroad beginning on the bank of the Missouri river, on the north side of the mouth of the Kansas river, in the city of Wyandotte, and running up the Kansas valley a distance of one and seventy-seven one-hundredths (1.77) miles, to a point where it intersects the road beginning on the south side of said river, making together forty and two one-hundredths (40.02) miles.

In the construction of said railroad we are assured, and have every reason to believe, that all the rails, spikes, and chairs used are of the best quality of American iron. The alignment and grades of said road are good, the shortest radius of curvature being 955 feet and the maximum grade fifty (50) feet per mile. The bridges and culverts are of timber, as is usual in new western railroads, and are well and substantially built, and of good material. The track is well laid and in good condition for a new road. It is supplied with all the water-stations, side-tracks, depots, locomotive engines, and passenger and freight cars necessary for its present business. The said company have also built a line of telegraph along its railroad from the town of Wyandotte to their station-house opposite the city of Lawrence. This telegraph line appears to be well and substantially built in the usual manner of western lines.

The undersigned commissioners further certify that they have stated above the true condition of the railroad and telegraph built by said railroad company, and further state that although the law of Congress relating thereto may not have been literally fulfilled in all respects, yet believe it to have been in all essential particulars, and therefore respectfully recommend its acceptance by your excellency.

D. R. GARRISON,

H. C. MOORE,

S. J. CRAWFORD,

Commissioners.

The honorable Secretary returns said report to the President, and cites the law in reference thereto :

DEPARTMENT OF THE INTERIOR

Washington, D. C., May 26, 1865.

SIR: I have the honor to return the report of Daniel R. Garrison, Henry C. Moore and Samuel J. Crawford, in relation to the railroad and telegraph line constructed by the "Union Pacific Railroad Company, Eastern Division," which was referred by you to this department, and received on yesterday.

It appears, from the papers on file in this department, that said Garrison and Moore and Richard W. Thompson were, by the President of the United States, pursuant to the authority vested in him by the sixth section of an act to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes" approved July 2, 1864, appointed, on the 29th ultimo, commissioners to examine the road or roads authorized by said acts to be constructed by the "Union Pacific Railroad Company, Eastern Division," and make report in relation thereto, as contemplated and specified by said acts.

Samuel J. Crawford was on the 5th instant appointed such commissioner, vice Richard W. Thompson, declined.

The proviso to the fourth section of the original act prescribes the condition on which the President shall exercise the authority vested in him by the enacting clause—a verified statement of the president of the company, showing that forty consecutive miles of said road and telegraph have been completed in the manner required by said act, and setting forth, with certainty, the points where such forty miles begin, and where the same end.

John D. Perry, esq., president of the company, filed such statement, accompanied by the report of the chief engineer.

When it shall appear to the President that forty consecutive miles of such road and telegraph have been completed and equipped in the manner required, then, upon the report of the commissioners to that effect, patents shall issue conveying to the company title to lands, as provided for in said act.

It must appear to you that the company has complied with the provisions of the act touching the construction and equipment of the road and telegraph, in order to entitle them to the benefits of the act. You are the ultimate authority by which the question of such compliance must be determined.

I respectfully invite your attention to the fourth section of the original act (Stat. at Large, vol. 12, p. 492) and sixth section of the amendatory act (Acts 1st session, 38th Congress, p. 359.) They contain all the legislative provisions bearing upon the question raised by the report.

I am, sir, with much respect, your obedient servant,

JAMES HARLAN, *Secretary of the Interior.*

The PRESIDENT.

The Secretary again addresses the President on the same subject :

DEPARTMENT OF THE INTERIOR, May 29, 1865.

After carefully considering the report of the commissioners appointed by the President to examine the first section of forty miles of the Union Pacific Railroad, eastern division, referred to this department by the President, in connexion with other facts which have come to my knowledge, I cannot recommend its approval, as I am not satisfied that said section has been completed and equipped, in all respects, as a first class railroad, as provided by law.

The commissioners have not reported to the President the essential facts necessary to enable him to form a correct opinion of the character of the road, or to understand the conclusiveness of the opinion of the commissioners, such as the weight of rails, character of ties, kind of ballast, character and number of curves, character of grades, and whether they could be avoided or reduced by reasonable labor and expenditure, number and character of stations, depots for freight and passengers, the number and character of engines, and freight and passenger cars, &c., &c.

I therefore respectfully recommend that the President direct a re-examination of said section of said road by a new board of commissioners, to consist of a competent engineer, to be detailed by the Secretary of War, the governor of Kansas, and Hon. H. D. Scott, of Terre Haute, Indiana.

Very respectfully, your obedient servant,

JAMES HARLAN, *Secretary.*

The PRESIDENT.

The President returned the above letter to the Secretary, with the following indorsement :

Let the appointments recommended within be made.

ANDREW JOHNSON.

The President desires an interview with the Secretary :

EXECUTIVE OFFICE, WASHINGTON, D. C., June 3, 1865.

SIR: I have been advised that there is a probability of readily obtaining the desired information in regard to the construction of the Union Pacific railroad, eastern division, and I should be glad to have a conference with you in reference to the subject.

Very respectfully, &c., &c.,

ANDREW JOHNSON.

Hon. SECRETARY OF THE INTERIOR.

In the above interview the President, informing the Secretary of the wishes of the company to furnish testimony in Washington to supply the deficiencies of the report of the commissioners, at his suggestion, the order appointing a new board was suspended, and on receipt of the testimony, it was submitted by the President, with the report, to Brevet Brigadier General D. C. McCallum, director and general manager of military railroads, who replied as follows :

WAR DEPARTMENT, OFFICE OF MILITARY DIRECTOR
AND SUPERINTENDENT OF RAILROADS UNITED STATES,
Washington, June 19, 1865.

His Excellency the PRESIDENT :

In obedience to your command of this date, directing me to report to you my views upon the propriety of the government accepting that portion of the Pacific railway now presented by the company, I beg leave to submit the following :

I have carefully read and considered the report of the commissioners, Messrs. Garrison, Moore and Crawford, the affidavit of the chief engineer, and the verified statement of the Allentown Rolling Mill Company, together with the communication of the honorable Secretary of the Interior, of the 29th ultimo, making exceptions to the report of the commissioners, and after careful consideration of the same, I am of the opinion that the additional proof submitted, under the order of your excellency of the 5th instant, relieves the case of the objections taken by the honorable Secretary ; and that the report of the commissioners, in connexion with the additional proof found in the files submitted for my consideration, shows that the acts of Congress governing the construction of the portion of said railway now under examination have been fairly complied with by the company, and that your excellency may, with propriety and justice, accept the same.

I have the honor to return the papers submitted, and am

Your excellency's obedient servant,

D. C. MCCALLUM,
Brevet Brig. Gen. Director and General Manager of Military Railroads U. S.

The President receiving the above report of General McCallum, indorsed on the report of the commissioners as follows :

EXECUTIVE OFFICE, *June 19, 1865.*

Upon examination of the accompanying report of Brevet Brigadier General D. C. McCallum, the recommendation of the commissioners is approved.

ANDREW JOHNSON, *President U. S.*

The Secretary transmits a certified copy of the report of the commissioners to the Secretary of the Treasury :

DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 20, 1865.

SIR : I have the honor to transmit herewith, for your information, a certified copy of the report of the commissioners appointed by the President to examine the railroad and telegraph line constructed by the Union Pacific Railroad Company, Eastern Division, and of the President's indorsement thereon.

I am, sir, very respectfully, your obedient servant,

JAS. HARLAN, *Secretary.*

Hon. HUGH McCULLOCH, *Secretary of the Treasury.*

The Secretary forwards to the honorable Secretary of the Treasury a copy of his letter to the President in reference to certain papers relating to the company :

DEPARTMENT OF THE INTERIOR,
Washington, D. C., July 1, 1865.

SIR : I have the honor to forward for your information the enclosed copy of a letter which I have on this day addressed to the President of the United States.

I am, sir, very respectfully, your obedient servant,

JAS. HARLAN, *Secretary.*

Hon. HUGH McCULLOCH, *Secretary of the Treasury.*

Letter referred to in the above.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., July 1, 1865.

SIR : Pursuant to your directions, communicated by General Mussey in his letter of the 24th ultimo, I have considered the papers presented by E. R. Meade, esq., and have furnished him an opportunity to examine the records and papers to which the letter refers.

The papers presented are—

- 1st. Paper addressed by E. R. Meade, esq., to the President of the United States.
- 2d. The affidavit of Edward Learned, esq., and an exhibit accompanying the same.
- 3d. The letter of Edward Learned, esq., under date of the 21st ultimo, transmitting a copy of the statement and protest some time since filed in the office of the Secretary of the Treasury.

4th. The affidavit of Charles A. Trowbridge, and sundry exhibits thereto attached.

The papers are somewhat voluminous. It will suffice for my present purpose to state that they relate to the Union Pacific Railroad Company, Eastern Division, and assert that the board of directors, of which Edward Learned is the reputed president, are the rightful and only representatives of said company. They also set forth that the gentlemen represented by John P. Usher or John D. Perry, as president, and claiming to be directors of said company, are in no sense such directors, and have no valid title to the control of the franchises, property, and chartered privileges of said corporation, or of the government subsidies thereto appertaining.

It thus appears that there are two rival organizations, each claiming to be the true and lawful one. Nothing is presented but separate statements, and it is impracticable from them to arrive at a safe conclusion upon the point at issue.

It is claimed, however, that the statements can be fully substantiated, if time and opportunity be afforded for the production of proofs. Should you defer, for such purpose, action in the case, I have the honor to submit that the determination of the questions of law involved would fall more appropriately within the province of the Attorney General than of this department.

I am, sir, very respectfully, your obedient servant,

JAS. HARLAN, *Secretary*.

The PRESIDENT.

The Secretary, for reasons given, asks the President to order a new board of commissioners to examine the road:

DEPARTMENT OF THE INTERIOR,

Washington, D. C., September 7, 1865.

SIR: It has come to the knowledge of this department that the bridge built by the Union Pacific Railroad Company, Eastern Division, over the Kansas river, along which the road passes for a considerable distance, and many of those over the streams which empty into it, have been swept away by recent freshets, while others, especially that erected over the Kansas river at Lawrence, by the citizens of that place, have remained unimpaired. These disasters are represented as being the natural result of the unsubstantial manner in which the railroad bridges were constructed.

In view of these facts, I have the honor to recommend that your order of the 19th of June last, approving the recommendation of the commissioners and accepting the road, be rescinded, and that you appoint a new board of commissioners to inspect and report upon the road as far as constructed.

I am, sir, with much respect, your obedient servant,

JAMES HARLAN, *Secretary*.

The PRESIDENT OF THE UNITED STATES.

The President appoints a new board of commissioners:

EXECUTIVE MANSION, *September 7, 1865.*

By virtue of the authority vested in the President of the United States by the sixth section of an act entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military and other purposes,'" approved July 2, 1864, and in compliance with the recommendation of the Secretary of the Interior, and for the reasons stated in his report of the present date, I do hereby appoint, Lieutenant Colonel James H. Simpson, corps of engineers United States army, Samuel J. Crawford of Kansas, and Chauncey Rose of Indiana, commissioners to re-examine the road or roads authorized to be constructed by the "Union Pacific Railroad Company, Eastern Division," under instructions from the Secretary of the Interior, and to make report thereof, in the manner contemplated and specified by said acts.

ANDREW JOHNSON, *President*.

Mr. Rose declining on account of ill-health, Hon. Harvey D. Scott, of Indiana, was on the 19th of September, 1865, appointed by the President commissioner in his place.

The new board of commissioners make their report:

WASHINGTON CITY, October 26, 1865.

SIR: Pursuant to the commission of the President of the United States, dated September 7, 1865, and in accordance with the instructions of the honorable Secretary, the undersigned met the Hon. Samuel J. Crawford, the third commissioner, at Wyandotte, Kansas, on the 3d instant, for the purpose of re-examining the first forty miles of the Union Pacific railroad, eastern division, west from the mouth of the Kansas river.

On the same day we received from the company the following letter:

"UNION PACIFIC RAILWAY COMPANY, EASTERN DIVISION,

"Wyandotte, October 3, 1865.

"GENTLEMEN: We are instructed by the board of directors of the Union Pacific Railway Company, Eastern Division, to communicate to you the enclosed preamble and resolutions this day adopted.

"We are, very respectfully, your obedient servants,

"JOHN D. PERRY, President.

"ASHBEL GREEN, Secretary pro tem.

"Lieut. Col. J. H. SIMPSON, his Excellency Gov. CRAWFORD, and Hon. H. D. SCOTT

Extract from the minutes of the board of directors of the Union Pacific Railway Company, Eastern Division, of a meeting held at Wyandotte, Kansas, October 3, 1865.

The President of the company presented to the board the official acceptance by the President of the United States, dated June 19, 1865, of the report of commissioners recommending that the government receive the first division of forty miles of the road, under the laws of Congress, upon the faith of which a number of leading railway men have taken part and interest in the enterprise, and agreed to invest one million of dollars to further equip, improve and extend the line, about eight hundred thousand dollars of which has been paid in, and the most of which last sum has been expended in material and construction. Also a letter from the Hon. James Harlan, Secretary of the Interior, informing the company that a new board of commissioners were appointed to examine the same division of road, and also a copy of detailed instructions to said last named commissioners. Whereupon the following preamble and resolutions were adopted:

"Whereas, by the terms and provisions of the law of Congress under which this company is constructing the Union Pacific railway, eastern division, upon the completion of forty miles of road it became the duty of the President of the United States to appoint a commission, consisting of three persons, to examine the road so constructed, and to report whether or not the same had been constructed in conformity with the requirements of law; and whereas this company did complete, within the period fixed by law, forty miles of its said road, and commissioners were appointed by the President to examine and report upon the same; and whereas said commissioners did examine and report that this company, in the construction of said forty miles of road, had substantially complied with the provisions of said law and said report was accepted by the President, whereby this company, as it is advised by counsel of high character, became entitled to the bonds and lands which, by said act, were granted for the purpose of aiding in the construction of said Union Pacific Railway, eastern division; and whereas, since the said report of said commissioners and the acceptance thereof by the President, as before stated, it is communicated to this board that, by the authority of the President, another commission has been appointed to examine and report upon the same forty miles of road, and that two of the members of the said commission are now on the line of said road awaiting the arrival of the third to pursue said investigation, with a view to making a report thereon; and whereas such second commission, in the opinion of this board, and as it is advised, is not in accordance with the laws of Congress extending aid to complete the work and branches, and if acquiesced in may result prejudicially to the company, by rendering uncertain and keeping in a state of uncertainty the relations between the company and the government, and postpone indefinitely the aid which the company may be entitled to receive from the government, and which is necessary to enable it to comply with the further provisions of the law; and whereas, also, after the said acceptance by the President of said report of said commissioners, parties not before interested in the company, relying upon the said report and acceptance, and believing the same was final, and that the government was in good faith bound to issue to the company the bonds provided to be issued upon the completion of said section of forty miles of road, have agreed to take an interest in the company, and to advance the sum of one million of dollars to aid in its further construction and equipment, and have at the present time of said sum of one million of dollars advanced about eight hundred thousand dollars, nearly all of which sum has been expended in the construction of said road and in the purchase of material for its equipment; therefore it is

"Resolved, That this board cannot consent to and protest against such re-examination by said commissioners until the company is fully heard before the President of the United States, and such construction is placed upon said law as will advise this company as to what its future conduct shall be, and upon what state of facts the action of the President may be regarded as final in the premises."

A true copy

ASHBEL GREEN, *Secretary pro tem.*

Receiving the above protest, we telegraphed as follows:

WYANDOTTE, KANSAS, October 4, 1865.

The Union Pacific Railroad Company, Eastern Division, has resolved "that this board cannot consent to and protest against such re-examination by said commissioners until the company is fully heard before the President of the United States, and such construction is placed upon said law as will advise this company as to what its future conduct shall be, and upon what state of facts the action of the President may be regarded as final in the premises." Shall the commissioners proceed with their examination of the road, or await the action of the President after a full-presentation of the case in writing as presented to us?

J. H. SIMPSON,
S. J. CRAWFORD,
H. D. SCOTT,
Commissioners.

SECRETARY OF THE INTERIOR,
Washington, D. C.

While waiting for a reply to the foregoing telegram, the company invited us, as private individuals, to take a trip over their road, which invitation we accepted; the president of the road, John D. Perry, Messrs. Thomas A. Scott, H. J. Jewett, and Ashbel Green, directors, and J. P. Usher, consulting attorney for the road, accompanying us.

We proceeded as far as Lawrence on the 4th October, the president and directors returning to Wyandotte the same day, and we the next day. During the trip we examined the road as far as was practicable.

On the 6th October we received a reply to our telegram of the 4th, as follows:

WASHINGTON, October 5, 1865.

I have received and laid before the President your telegram. He instructs me to say that you will proceed with the examination of the road pursuant to your commission.

W. T. OTTO, *Acting Secretary.*

J. H. SIMPSON,
S. J. CRAWFORD,
H. D. SCOTT,
Commissioners.

Receiving instructions to go on with our examination, the president of the road, Mr. Perry, having left for St. Louis, we addressed the following letter to the chief engineer:

WYANDOTTE, KANSAS, October 6, 1865.

SIR: The United States commissioners having just received by telegram, dated 5th instant, from the President of the United States, instructions to proceed with the examination of the first forty miles of the Pacific railroad, eastern division, I am instructed by said commissioners to respectfully request that you will lay before them the maps, profiles, and plans of the road, and afford them such facilities as may be necessary for the proper performance of their duties.

I am, very respectfully, your obedient servant,

J. H. SIMPSON,
Lieut. Colonel Engineers, U. S. A., President of Board.

R. M. SHOEMAKER, Esq.,
Superintendent and Chief Engineer Union Pacific railroad, eastern division.

Handing the above to Mr. Shoemaker, after reading it, he stated that he had telegraphed to the president, Mr. Perry, for instructions, which if he did not soon receive, he would act according to his discretion.

On the 9th Mr. Shoemaker put into our hands the map, profiles and plans of the road, and placed at our disposal a locomotive and one passenger car to enable us to make our examination of the road; the president, Mr. Perry, consulting attorney, Hon. J. P. Usher, and Mr. Rowalla, assistant engineer on the road, accompanied us, Mr. Shoemaker, the chief engineer, being too unwell to do so. We started at 9½ o'clock, a. m., and returned the same day, stopping at the bridge over the Kansas river, which Mr. Scott and Colonel Simpson had on the previous day examined, at the machine-shop at the junction of the Wyandotte track, at the several stations, and at other points, to make the required examination and measurements.

The instructions from the honorable Secretary are as follows:

DEPARTMENT OF THE INTERIOR,
Washington, D. C., September 22, 1865.

GENTLEMEN: The President having deemed it expedient to re-examine the Union Pacific railroad, eastern division, he has appointed you commissioners for this purpose; and as he must depend on the information embodied in your report to enable him to discharge the duty of determining whether the company has complied with the conditions and requirements of the acts of Congress touching the completion and equipment of this particular portion of the road, he instructs me to say to you that he desires your report shall contain:

1st. A statement showing length of road projected; length finished according to the requirements of law; length of track laid on main line; length laid on side tracks; the weight of rail per linear yard; by whom manufactured; the number of chairs, spikes and ties per mile of single track, by whom manufactured, full size sections of rail, and detailed plan and elevation of chairs, spikes or any additional joint fastenings; dimensions, material, and probable duration of ties; character of switches, frogs and signals; the number of miles of road ballasted, the part ballasted to be marked on profile; the material used for ballast, across section of finished road, and what facilities exist for completing the ballasting.

2d. Statement of the actual average and minimum width of embankments and excavations at the grade line and the side slopes adopted for different materials; short descriptions of tunnels if any exist.

3d. A tabular statement of the culverts, their number, dimensions, material and character, whether open, box or arch, temporary or permanent.

4th. A short description of each important bridge, showing its span; whether temporary or permanent, of iron, stone or wood; the plan on which it is built; the material and character of piers and abutments; any other facts of interest, with a tabular statement showing characteristics of small bridges, spans, and general character of trestle work, whether intended to be permanent or temporary; if the latter, whether they will be replaced by embankment or bridging.

5th. A statement of the number of cattle guards and road crossings; the length of fence, its character and material, and the number of gates.

6th. A description of the stations and their area; the number, application, dimensions, material of station buildings, water tanks, turn-tables, &c.

7th. A description of the rolling stock, setting forth the number of locomotives; the weight, cost, quality and manufacture of each; the number of passenger, baggage, express, freight, platform, gravel, repair, hand and other cars, with the cost and manufacture of each.

8th. A statement, showing the average number of employes, expenses, and receipts of the company at present, its probable future business, time tables, and other information connected with its operation.

9th. Any other facts that may aid him in forming a correct opinion of the character of the road.

10th. You will also transmit with your report a map of the road, on a scale of one mile to an inch, showing as much of the topography and characteristics of the road as the scale will admit, with the connecting lines of railroad.

11th. Also a profile on a horizontal scale of two inches to one mile, and a vertical scale of fifty feet to one inch, to show surface line, changes, elevation, and inclination of grade, curvature of line, and position and span of culverts, bridges, and trestle-work.

12th. Also such additional drawings as may be needed to illustrate any peculiarities of the construction or equipment of the road. Want of time to procure the necessary data and other circumstances may call for some slight deviation from the above instructions. On this point you must use your own discretion; reporting the occasion, if any exists, calling for any difference in the character or manner of presenting the information obtained.

I am, gentlemen, very respectfully, your obedient servant,

JAMES HARLAN, *Secretary*.

Lieut. Col. J. H. SIMPSON, Gov. SAMUEL J. CRAWFORD, Hon. HARVEY D. SCOTT.

Having finished our examination of the road, the undersigned respectfully submit the following statement in response to the above instructions; the Hon. Samuel J. Crawford not concurring with the undersigned in their conclusions, and preferring to make a separate report.

Our statement is made up from our own observations and notes, and embraces necessarily a great deal, especially in reference to the extension of the road, which we have derived from the chief engineer, Mr. Shoemaker.

ANSWER TO PARAGRAPH 1 OF INSTRUCTIONS.

The length of the main line projected from the west line of the State of Missouri, near the mouth of the Kaw or Kansas river, to the one hundredth meridian of longitude, is about three hundred and eighty-one miles. The line commences at the State line, on

the south bank, and immediately crosses to the north bank of the Kansas river, and continues on the north side of that river, from its eastern terminus to Fort Riley, one hundred and thirty-six miles. Preliminary surveys have been extended up the Republican fork of the Kansas river, about eighty miles above Fort Riley, and a full party of engineers are now in the field, extending the surveys to the one hundredth meridian. They will complete the surveys to that meridian about the 25th day of November. There is also a full party of engineers in the field making complete preliminary surveys of the Smoky Hill line. On the 24th ultimo they had reached Fort Ellsworth, and are to continue the survey of the Smoky Hill and Sandy fork of the Arkansas; thence across the headwaters of the Beaver, Bijou, and Kiow branches of the Platte to Denver City, there to terminate the survey. The distance from Fort Riley to Denver City is about four hundred and forty-five miles. It is expected that they will complete their survey about the 15th of December next.

The length of the main track, (see map,) including the spur track from Wyandotte, on the Missouri river, to the junction with the main line laid, is forty-five miles. The side tracks, each of which is deficient a switch at one end, thus not permitting trains to pass, except by backing out, aggregate in the first division of forty miles $1\frac{5}{16}$ mile, and they are located at Wyandotte Branch junction, $1\frac{5}{16}$ mile from Wyandotte, or commencement of branch road; Lanape station, — miles distant; Stranger station, — miles distant; Zimmermann's Mill, — miles distant, and at North Lawrence, near the termination of the forty miles. There are no switches at Tiblow station, situate between the junction and Lanape, or at Fall Leaf station, situate between Stranger station and Lawrence. There are, in addition to the forty-five miles mentioned above, about two miles of main track laid, but not surfaced up. A large force is engaged extending the track laying on the second division towards Topeka, which point it is expected to reach with the track about the 30th of November next. The road bed to Topeka is represented as ready to receive the track, and the grading and masonry west of Topeka, to the end of the first one hundred miles, it is expected will be ready to receive the track by the 15th day of November next. There are four thousand tons of new rails at Wyandotte and on the line ready to be laid on the track, and two thousand tons more in transit from the manufacturers for the same purpose. There is at Wyandotte and St. Louis one hundred and eighty tons of railway spike and thirty thousand chairs, all to be used in extending the track from Lawrence towards Fort Riley. The rails are generally twenty-four and twenty-seven feet long, and weigh fifty-six pounds per linear yard, or eighty-eight tons of 2,240 pounds per mile of track. They are all made at the Allentown and Johnstown works, Pennsylvania, and are of the very best quality of American make. The rails are $3\frac{1}{2}$ inches wide at the base, and $3\frac{1}{2}$ inches high, a full section of which accompanies this report. (See sheet I.) The chairs are the common double-lip American chair, made at Troy, New York, and Cincinnati, Ohio, of the best American chair plate iron, $\frac{1}{2}$ inch thick, $7\frac{1}{2}$ and 8 inches wide, and $8\frac{1}{2}$ inches long, and weigh from 10 to 12 pounds each. (A plan of the chair is herewith furnished, sheet No. 1.) No other joint fastenings are used. The spike are the ordinary hook-headed railroad spike, $5\frac{1}{2}$ inches long, made of $\frac{1}{2}$ -inch square iron, manufactured at Troy, New York, and at Cincinnati, Ohio, of the best American spike iron, and weigh each $\frac{1}{2}$ pounds. The track is spiked on the outside of the rails, and on the inside around all curves, and the joint, centre, and each alternate tie are spiked on the inside of the rail. The other intermediate ties, on straight lines, are not spiked on the inside of the rails, and were omitted for the reason, as the chief engineer states, that a new track laid on fresh bank always settles unevenly and gets out of line, when, if fully spiked, it is hard to get back and be kept in line, many spike in such cases having to be drawn and redriven.

The cross-ties range from six to ten inches face, and are six inches thick, and from seven and a half to eight feet long, most of the ties being probably over eight inches in width. The timber used is oak, red elm, red hickory, coffee bean, mulberry, locust, black walnut, cherry, and hackberry, and will probably last eight or ten years. The use of hackberry has been discontinued, except in side tracks. There are, as represented by Mr. Shoemaker, 2,112 ties to the mile of track, on the first forty miles. Our examination at four different points of the road shows an average of 2,175 to the mile. They are now, we are informed by the chief engineer, laying 2,400 ties to the mile. Cross sections of the road accompany this report. (See sheet I.)

Common double switches, with signal targets and steel-plated frogs, weighing 900 pounds each, are used. The character of the earth, for a large portion of the distance of the first forty miles, is of a sandy formation, and is of itself tolerable ballast; no part of the track is separately ballasted. There is said to be no gravel ballast in the country traversed by this section of the road, though rock is found in great abundance convenient to the road, which properly broken up would make excellent ballast.

ANSWER TO PARAGRAPH II.

The road-bed, according to Mr. Shoemaker, was graded fourteen feet wide in embankments and sixteen feet wide in excavations, though his predecessor, W. J. Keeler, late chief en-

gineer, in his report of April 10, 1865, to John D. Perry, president of the road, states the width of the embankments at twelve feet, and of the excavations at eighteen feet. Mr. Shoemaker also informs us that the slopes were made one and a half feet horizontal to one foot vertical. According to our observations a very large portion of the road-bed is but eight feet wide at the grade-line, and there are no indications that any system has been observed with regard to the ditching or the outer slopes of the side ditches or excavations; the latter being generally irregularly vertical, and the former mere excavations, without any persistent idea of grade or removal of obstructions for purposes of drainage. On this subject we beg to refer the honorable Secretary to an extract from the printed report of the late chief engineer, W. J. Keeler, dated May 9, 1865, to the president of the road. His language is: "There is an entire want of a complete system of ditching for draining the road-bed; and besides, bad material was employed in construction; the effects of this are easily visible and have been very expensive to the company during this spring on account of the difficulty of maintaining the track." (See Appendix A.)

There are no tunnels on the road, as far as at present constructed.

ANSWER TO PARAGRAPH III.

There are but two or three culverts for the drainage of ditches on the first division of forty miles, the drainage being almost entirely that of the ravines and water-courses by the use of trestle bridges of one or more spans, built entirely of wood, without abutments, and the natural embankments left under the ends of the bridges with their natural slopes unprotected from abrasion by wash from the streams and rain. These bridges, with the exception stated, are strongly built. (See their location on profile, and plans on sheet 2.)

ANSWER TO PARAGRAPH IV.

The bridges are all trestles, or what are commonly called "bent" bridges; in most cases of twenty feet span, resting on piles and mud sills. The stringers are of good oak timber, fourteen by sixteen inches, resting on corbels or splicing blocks at joints, and caps twelve by twelve inches; and the structures are all strongly built, except in nearly every instance they are deficient the necessary abutments or even plank revetments to prevent abrasion to the ends of the road-bed from the action of the current and rain.

The bridge on which the road crosses the Kansas river is of a trestle character, 1,124 feet long, having spans of twenty feet, and at the channel a Howe truss, 128 feet long, supported at the centre on a pile pier, allowing on each side a clear water-way of about forty-four feet. (See plan, sheet No. 1.) This bridge, though well built, from its improper application to the site, was on the 14th August last carried away for a continuous length, near its north end, of 290 feet. The Kansas river is lined for probably near a hundred miles above the bridge with a heavy growth of timber, and the consequence was that during that flood 3½ acres of trees of every size lodged against the west face of the bridge south of the channel pier, and acting as a dam increased the current north of the channel Howe bridge to such a degree as to force away the piles, and with them the superstructure to the extent mentioned. Had a Howe truss bridge similar to that spanning the river, about 690 feet wide at Lawrence, which was built by the citizens of that place in 1863, and has withstood all the floods since, been built, it would doubtless be standing at this time.

Mr. Shoemaker informs us that a contract has been made for the immediate construction by the 1st December next, or as soon as the Missouri Pacific railroad reaches the State line, of two Howe truss bridges, each of 150 feet span, to replace that part of the bridge washed away.

The bridge over the Stranger river was carried away on the 20th July last by a flood, and within eighteen days thereafter also a temporary bridge at the same site. Since then an excellent Howe-truss bridge 135 feet long has been framed at Cincinnati, Ohio, brought to the spot, put up, and been in use since the 12th September. Permanent stone masonry abutments are now being built to support the structure.

Wolf creek bridge and two other small bridges were also injured by the floods, which are said to have been unprecedented. The injury has been repaired and longer spans where needed are said to be framing. These bridges Mr. Shoemaker thinks will last about ten years.

ANSWER TO PARAGRAPH V.

The country traversed by the first forty miles of the road is mostly in the Wyandotte and Delaware Indian reservation, not much improved, and this is the reason Mr. Shoemaker assigns for the company not having built any fences along the road. Where fences cross the road, cattle guards have been built, and wherever roads cross tolerable crossings have been made.

ANSWER TO PARAGRAPH VI.

No permanent depot buildings have been erected at the eastern terminus for the reason, as Mr. Shoemaker alleges, that the present length of road will not justify such buildings as will be required when the road is extended. A temporary stable or engine-house about 105 by 25

feet, and a car-house about 250 by 25 feet, both of the cheapest and most unsubstantial character, are all the buildings put up by the company at Wyandotte. At this point, we are informed by Mr. Shoemaker, the company have secured all of the levee in front of the town, 3,015 feet long and an average width of 550 feet, and have also contracted for twenty acres on the bank of the river adjoining the levee on the north, all of which will be used for railway purposes, such as depots, side tracks, machine shops, engine-houses, &c.

The company have at the junction, 1.84 mile from Wyandotte, a machine shop 113 by 36 feet, and a blacksmith shop 83 by 25 feet. Both are well-built wooden structures. The machine shop is provided with three lathes, one large planer, one boring mill, one drill press, one wheel press, one cutting machine, and we are informed by the master workman that the company have invoices of one bull lathe, one quartering machine, one 40-inch lathe, one No. 2 back gear drill press, one cylinder borer, and three chucks, all of which are on the way. The engine used in the shop is about 15-horse power. The blacksmith shop has four furnaces.

There are for the accommodation of passengers a house at Tiblow's station 76 by 20½ feet, one at Lanape 48 by 20 feet, one at Stranger Creek station 46 by 20 feet, and one at Fall Leaf station 49 by 20 feet. All these are wooden structures of a cheap character, which when battened and painted will answer the present wants of the road.

At North Lawrence, we are informed by Mr. Shoemaker, the company have secured twenty-five acres of ground advantageously located, and have erected thereon a well-built frame depot building 100 by 26 feet, which they use both for freight and passenger purposes, and an engine stable of the most slight temporary character.

There is a turn-table at Wyandotte and one at North Lawrence, each forty six feet long; a water station near Wyandotte, another at the Stranger creek, both of which are wooden tanks supplied by hand-pumps.

ANSWER TO PARAGRAPH VII.

There are now in use on the road four locomotive engines : No. 1, cylinders 13 by 20 inches, drivers five feet, and weighs 40,000 pounds, manufactured by Rogers, Paterson, New Jersey ; No. 2, cylinders 14 by 22 inches, drivers four and a half feet, and weighs 48,000 pounds, manufactured by Morris & Co., Philadelphia, Pennsylvania ; No. 3, cylinders 15 by 22 inches, drivers five feet, and weighs 52,000 pounds, manufactured by Danforth, Cook & Co., Paterson, New Jersey. The above engines have each eight wheels, four of them drivers and outside couplings. Engine No. 4 has ten wheels, six drivers four and a half feet in diameter, cylinders 16 by 22 inches, and weighs 64,000 pounds. A fifth engine similar to the last we are informed has been purchased and paid for, and was injured while *en route* on the Hannibal and St. Joseph railroad, and is now in the shop of that company at Hannibal for repairs, whence it will be forwarded to Wyandotte the latter part of the present month.

There are also on the track forty-four flat cars, twenty-one box cars, twelve hand cars, three first-class passenger cars, one baggage car, and two iron truck cars.

There have also been purchased and paid for, as we are informed by Mr. Shoemaker, for the use of the company, ten box freight cars which are now *en route* from Philadelphia. The company have also contracted for four additional first-class passenger cars and two baggage, mail, and express cars, to be delivered at Wyandotte in January next.

The cost of the above-mentioned engines and cars is as follows :

Engines Nos. 1, 2, and 3, at \$18,000 each.....	\$54,000
Engines Nos. 4 and 5, at \$22,500 each.....	45,000
24 flat cars, at \$920 each	22,080
20 flat cars, at \$850 each	17,000
21 box cars, at \$1,150 each	24,150
12 hand cars, at \$135 each	1,620
3 first-class passenger cars, at \$5,000 each.....	15,000
1 baggage and mail car	3,000
10 box cars, purchased in Philadelphia, now en route, at \$750 each	7,500
2 iron trucks, at \$100 each.....	200

Making total cost..... 189,550

The above-mentioned cars were all manufactured in Michigan, Ohio, and Pennsylvania, and are of the best workmanship and material.

ANSWER TO PARAGRAPH VIII.

The number of men on pay-roll on first division was—

For month of July, 235 ; amount paid them, \$10,735 02.

For month of August, 314 ; amount paid them, \$12,719 51.

For month of September, 219 ; amount paid them, \$9,488 73.

The expenses of the three months mentioned are represented to have been unusually large, owing to the injury done the road by floods and the rebuilding of bridges. Owing to

repeated interruptions during the season by successive floods, the earnings are represented as having been comparatively light.

The earnings for twenty days in July were \$7,820 70.

The earnings for thirteen days in August were \$7,086 50.

The earnings for nine days in September were \$11,646 05.

The probable future earnings, without any extension beyond the forty miles, or North Lawrence, are estimated by Mr. Shoemaker at from \$25,000 to \$30,000 per month. At present one mixed train for passengers and freight is run over the road, each way daily, between Lawrence and Wyandotte, with such additional construction and freight trains as the business of the road and the transportation of construction material demand.

ANSWER TO PARAGRAPH IX

Will be found embraced in answers to succeeding paragraphs and under head of "General Remarks."

ANSWER TO PARAGRAPH X.

This road is intended to connect at the Missouri and Kansas State line with the Pacific railroad of Missouri, which road has just been opened through from St. Louis to Kansas City, within about two and a half miles of the point of connexion at the State line. It is expected that that road will be finished to the State line within the next ninety days.

At Lawrence a connexion is to be made with the Leavenworth branch, which is in process of construction to be finished by the first day of May next. There is no immediate prospect of any other connecting lines.

A map of the road reduced from the company's map to a scale of one inch to the mile is herewith submitted, which shows the alignment of the road, its curves, tangents, and general geographical features, so far as they could be obtained from said map and the General Land Office maps.

The proportion of curved line is as follows:

	Feet.	Miles.
Total length of straight line on main line.....	171,558	32.49
Total length of straight line on Wyandotte section	4,583	0.87
Total length of curved line on main line.....	39,642	7.51
Total length of curved line on Wyandotte section	5,117	0.97
And that minimum radius of curvature, a six-degree curve, is.....	955	.....
Length of curved line radius from 955 to 1,000 feet.....	2,415	0.46
Length of curved line radius from 1,000 to 2,000 feet	21,377	4.05
Length of curved line radius from 2,000 to 3,000 feet	10,150	1.92
Length of curved line radius from 3,000 to 4,000 feet	1,450	0.27
Length of curved line radius from 4,000 to 5,730 feet	3,850	0.73
Length of curved line radius from 11,459 feet.....	400	0.08

ANSWER TO PARAGRAPH XI.

A profile of forty-five miles of the road, as constructed, is herewith submitted, on the same sheet as the map. To bring it within the limits of the latter, and to make it more convenient for comparison, the horizontal scale of the company's profile has been reduced to that of the map—the vertical scale remaining the same as in the original. The ratio between the horizontal and vertical scales has thus been increased from $\frac{1}{4}$, as it is in the original, to $\frac{1}{2}$, and is the same ratio or disproportion as was adopted in the profile accompanying Colonel Simpson's report on the change of the location of the Union Pacific railroad west from Omaha. This shows more clearly the fact that in laying down grades for the road, economy in construction was alone taken into account, and the expense of future traffic disregarded, than if the ratio of the original profile had been retained; as in the original, the abrupt changes and steep grades might pass almost unnoticed without close scrutiny of the figures.

To show that ruling or maximum grades of thirty feet to the mile might have been obtained with no considerable increase of expense, (to obtain which the Omaha branch of the Union Pacific railroad were justified by the government in making a detour increasing the length of their line eight miles in fourteen, and necessitating cuts in two places of from forty to fifty feet, and embankments of corresponding heights,) a dotted line has been put on the profile showing how the grades might be reduced to that maximum. The profile of the Kansas road, as at present constructed, shows only one embankment of eighteen feet, and no cutting over twelve feet in depth, the grades having been almost universally made just so as to skim the natural surface of the ground.

The profile shows, on the main line—

Level grades in miles.....	6.08
Grade 0 to 10 in miles.....	16.40
" 10 to 20 " ".....	9.89
" 20 to 30 " ".....	7.51
" 30 to 40 " ".....	2.29
" 40 to 50 " ".....	0.95
" 50 to 60 " ".....	1.38
" 60 to 70 " ".....	0.29
" 71.4 " ".....	0.32
" 72.6 " ".....	0.15
	<hr/> 45.26 <hr/>

Thus there are 52.8 miles of the main road which could be easily reduced, and which the company should reduce to a maximum grade of thirty feet to the mile. (See table, appendix B, showing the great importance of reducing grades to the utmost limit compatible with reasonable expenditure.)

The profile of the Wyandotte branch, 1.84 mile long, also herewith submitted, shows a level length in miles.....	0.70
0 to 10 " ".....	.18
10 to 20 " ".....	.20
20 to 30 " ".....	.41
30 to 40 " ".....	.20
52.8 " ".....	.15
	<hr/> 1.84 <hr/>

TELEGRAPH LINE.

A telegraph line has been built, extending from the Kansas and Missouri State line, and from Wyandotte to Lawrence, and is in operation for that distance, there being, however, no intermediate telegraph stations.

GENERAL REMARKS.

The first forty miles of the road, west from the Missouri and Kansas boundary line, presented to us for examination by the company, embrace, as the map and profile show, the branch from Wyandotte to the junction, a distance of 1.84 mile, and this portion was included in the 40 miles examined by the previous commissioners, Messrs. S. J. Crawford, D. R. Garrison, and H. C. Moore, as shown by their report to the President, submitted by his excellency to the honorable Secretary of the Interior, May 25, 1865.

The act of Congress approved July 1, 1862, under which the company are authorized to build their road, has the following clause:

"SEC. 9. *And be it further enacted*, That the Leavenworth, Pawnee and Western Railroad Company of Kansas are hereby authorized to construct a railroad and telegraph line from the Missouri river, at the mouth of the Kansas river, on the south side thereof, so as to connect with the Pacific railroad of Missouri, to the aforesaid point, on the one hundredth meridian of longitude, west from Greenwich, as herein provided, upon the same terms and conditions in all respects as are provided in this act for the construction of the railroad and telegraph line first mentioned, and to meet and connect with the same at the meridian of longitude aforesaid," &c.

By which it appears very clearly that the road is to commence at the mouth of the Kansas river, *on the south side thereof*, so as to connect with the Pacific railroad of Missouri. This the company have done, but it is not perceived why they should also have an initial point at Wyandotte, on the north side of the Kansas river, and include the Wyandotte branch of 1.84 miles in the forty miles which the company have presented for acceptance, for the purpose of receiving bonds and lands.

The act amending the above-mentioned act, approved July 2, 1864, contains the following clauses:

"SEC. 12. *And be it further enacted*, That the Leavenworth, Pawnee and Western Railroad Company, now known as the Union Pacific Railroad Company, Eastern Division, shall build the railroad from the mouth of Kansas river, by the way of Leavenworth, or, if that be not deemed the best route, then the said company shall, within two years, build a railroad from the city of Leavenworth to unite with the main stem at or near the city of Lawrence,

And the said railroad, from the mouth of the Kansas river to the one hundredth meridian of longitude, shall be made by the way of Lawrence and Topeka, or on the bank of the Kansas river opposite said towns," &c.

The foregoing amendment, it is respectfully submitted, does not, in the opinion of the undersigned, change the initial point of the road from the south to the north side of the

Kansas river, or authorize another initial point on the north side at Wyandotte, and does not justify the company in including the Wyandotte branch of $1\frac{1}{10}$ miles in the 40 miles, for which they can, according to law, claim bonds and land.

The commissioners have thus examined 45 miles of the main line from the initial point on Missouri and Kansas line to Station No. 2376, which embraces 40 miles from said initial point to Station 2112, or 40 miles from Station No. 22, on the north bank of the Kansas river, to Station No. 2134 if the portion from the State line to said north bank should be rejected on account of the destruction of the bridge over said river.

We have also examined the Wyandotte branch of $1\frac{1}{10}$ miles. The general conclusions we have arrived at are—

1. That the Wyandotte branch of 1.84 miles is no portion of the line of the railroad for which the company are entitled to bonds.

2. That the alignment of the road has been in several instances defectively made, thus causing an unnecessary amount of curvature.

3. That the grades have been laid generally on the natural surface of the ground with a view to present economy of construction, but with no regard to the future expenses of traffic or maintenance of way; the maximum inclination being as great as 72.6 feet per mile, when probably for five hundred miles westward from the end of the road examined no heavier grade than 30 feet to the mile will be required, to which grade the company could without unreasonable expense have reduced their road. (See on this subject extract from the late Chief Engineer Wm. J. Keeler's report to president and directors of the road, dated May 9, 1866, appendix A.)

4. The road-bed on low level lands in places has been laid so low that portions have been so much submerged as to interrupt the trains for several days. It is true that the company at the time we examined the road were surfacing up these portions, but, as the undersigned think, not sufficiently.

5. There has been no regular system of ditching, culverting, or drainage observed, the consequence being that little or no attention has been paid to clearing and grading the ditches and leading the water to culverts, of which there is a deficiency. (See extract of late Chief Engineer Keeler's report, appendix A.)

6. The embankment or road-bed on the grade-line is, for a considerable portion of the road, entirely too narrow, being only the length of the tie, or from 7 $\frac{1}{2}$ to 8 feet wide. Mr. Shoemaker informs us that these banks were originally made 14 feet wide, (his predecessor, Mr. Keeler, says 12 feet,) and that they have been mostly rounded off, so as to shed the water quickly and keep the track dry. It is not perceived, however, why, in thus rounding them off, they should have left the top surface without a margin outside the ties, rather than with a margin of three feet. (See cross section, sheet 1.)

7. The bridge over the Kansas river, 1,124 feet long, though well made, having been composed chiefly of trestle supports, was, in August last, on account of its obvious inapplicability to the Kansas river, (lined as it is with friable banks and thick timber land, and liable to freshets,) carried away for a length of 290 feet, which the company are now remedying by throwing over the breach two Howe truss bridges, each of 150 feet span.

8. The other bridges on the line are well-made trestle bridges, but being deficient abutments, and in some cases not admitting of sufficiently wide spans, and in many instances having been extended only to get rid of embankments, are not deemed judiciously applicable, particularly as on all first-class roads they are superseded by truss bridges of sufficient spans.

9. The railroad ties are of good character and sufficient dimensions, but numbering only 2,112 to the mile, come short by 284 of the number used on the four first-class railroads of the State of New York, (New York and Erie, New York Central, Hudson River, and New York and Harlem,) which are 2,396 to the mile. Mr. Shoemaker states they are now laying on the extension of the road 2,400 to the mile.

10. The iron rails weigh 56 pounds to the linear yard. The weight of the rails on the four first-class railroads in New York, before referred to, average 65 pounds to the linear yard. But it is a question, on account of the probability of getting better wrought iron of 56 pounds to the yard, if rails weighing only this amount will not last longer than those of the weight of 65 pounds.

11. The side tracks not having switches at both ends, and thus not fulfilling the conditions of complete side tracks, and there being none at all at Tiblow station and at Fall Leaf station, in the opinion of the undersigned the law has not been complied with in these particulars.

12. The water-stations being only three in number—one near eastern terminus, another about 26 miles distant, and another at Lawrence, about 13 miles beyond—are not believed to be sufficient for a first-class road. On a single track on the New York roads they are about 10 miles apart, and on a double track about every five miles.

13. The machine shops at the junction, with the machinery now in the buildings and that contracted for, will probably meet the present wants of the road, until it is further extended. There being no permanent depot buildings at the eastern terminus of the road at the present time, or in process of erection, it is not deemed the law has been complied with in this particular, requiring all "necessary depots," &c. The station-houses, except that at

North Lawrence, are in an unfinished state, and therefore do not, in the opinion of the undersigned, come up to the requirements of the law.

14. The rolling stock is all of excellent character, and with that contracted for will doubtless meet the wants of the road for the present, till it is further extended.

15. A telegraph line has been built, extending from the Kansas and Missouri State line, and from Wyandotte to Lawrence, and is in operation for that distance. There are, however, no intermediate telegraph stations.

The act of Congress, approved July 1, 1862, governing the commissioners in their examination and report, reads as follows:

"SEC. 4. *And be it further enacted*, That whenever said company shall have completed forty consecutive miles of any portion of said railroad and telegraph line, ready for the service contemplated by this act, and supplied with all necessary drains, culverts, viaducts, crossings, sidings, bridges, turnouts, watering places, depots, equipments, furniture, and all other appurtenances of a first-class railroad, the rails and all the other iron used in the construction and equipment of said road to be American manufacture of the best quality, the President of the United States shall appoint three commissioners to examine the same, and report to him in relation thereto; and if it shall appear to him that forty consecutive miles of said railroad and telegraph line have been completed and equipped in all respects as required by this act, then, upon certificate of said commissioners to that effect, patents shall issue, conveying the right and title to said lands to said company, on each side of the road as far as the same is completed, to the amount aforesaid," &c.

"SEC. 5. *And be it further enacted*, That for the purposes herein mentioned the Secretary of the Treasury shall, upon the certificate in writing of said commissioners of the completion and equipment of forty consecutive miles of said railroad and telegraph, in accordance with the provisions of this act, issue to said company bonds of the United States, of one thousand dollars each, payable in thirty years after date, bearing six per centum per annum interest, (said interest payable semi-annually,) which interest may be paid in United States treasury notes, or any other money or currency which the United States have or shall declare lawful money and a legal tender, to the amount of sixteen of said bonds per mile for such section of forty miles," &c.

The undersigned have in their report, to the best of their ability, endeavored to give a fair and honest description of the forty miles of railroad they have been instructed by the President to re-examine, and *they cannot, consistently with the facts, report the same as a first-class railroad, agreeably to the requirements of the law quoted above.* They are the more indisposed to shrink from this conclusion for the reason that these forty miles of the Pacific railroad being the first section east of California that has been presented to the government for acceptance, a favorable report on the road would make its present inferior character a standard for the remaining portions, and thus this great national highway, so liberally endowed by the people, be degraded, throughout its whole length, to a class of road as inferior as any that can be found in the country. Besides, in exacting grades of thirty feet to the mile the government would be requiring from this company no more moderate grades than have been required of the Omaha Branch Company, and which they have pledged themselves to effect, at very considerably greater cost of excavation and embankment.

All of which is respectfully submitted.

J. H. SIMPSON,
Lieut. Col. Engineers,
H. D. SCOTT,
Commissioners.

Hon. JAMES HARLAN, *Secretary of the Interior.*

APPENDIX A.

Extract from printed report of William J. Keeler, chief engineer of the Union Pacific railway, eastern division, dated Wyandotte, Kansas, May 9, 1865, addressed to the president and directors of the Union Pacific railway, eastern division.

Speaking of the first forty miles of the Union Pacific railway, eastern division, from the Kansas and Missouri State line to Fort Riley, he says on page 6, under head of "General Remarks:"

On account of the entire want of system with which the grading was conducted by Samuel Hallet, and by not grading the road-bed to any set of grade lines, it is impossible to give a table of grades, or of total amount of rise and fall in feet, from any data in this office. When this line was first located, a small party of engineers was started two weeks

in advance; then a comparatively large force of graders was set to work, forcing the engineers ahead so that no time was left for contingencies, and a proper location. It was constantly urged upon the engineers to locate the line in such a manner as to make the grading for it as light as possible, and to the detriment of the alignment. Lastly, the work in grading in 1863 was in direct opposition to all railroad practices and principles. For these reasons it now becomes necessary to reduce the grades, making the maximum 40 feet per mile and lessen the curvature to a minimum radius of 1,432 feet, or a 4-degree curve.

There is an entire want of a complete system of ditching for draining the road-bed; and besides, bad material was employed in construction. The effects of this are easily visible, and have been very expensive to the company during this spring on account of the difficulty of maintaining the track. The present company has already expended large sums of money to correct their predecessors' errors. I would, however, recommend a further expenditure of \$50,000 during the present season, which will fully cover everything in reducing the grades and curves to the above standard.

On a long line where the passenger traffic will be important, the excess of heavy grades and curves, and on the first section, will have a material influence in the economy and usefulness of the whole road.

The several points of advantage that appertain to the first section as above considered, are the influences of the great excess of curvature on the freight traffic, together with that of heavy grades on the passenger traffic, extra wear of rails and cars and engines, with the great hazard of accident and consequent damage, and are of a character that does not admit of any definite computation.

They are, however, of such importance that heavy expense, where a change or improvement of route is advisable, may be well incurred to avoid them. That they materially impair the value of a railroad is beyond question.

The maximum numbers of cars which a 30-ton engine will move upon a level, and ascending grades, are as follows:

On a level	94 cars.
On a grade ascending 10 feet per mile	56 do.
Do.....20.....do.....	40 do.
Do.....30.....do.....	30½ do.
Do.....40.....do.....	25 do.
Do.....50.....do.....	20½ do.
Do.....60.....do.....	17 do.
Do.....66.....do.....	16 do.
Do.....70.....do.....	15 do.
Do.....80.....do.....	13 do.
Do.....90.....do.....	11½ do.
Do.....100.....do.....	10 do.

The actual working expenses of the train will be very nearly the same per mile in each case, as the engine always works up to its full power.

The cost of transportation, exclusive of repairs to roadway, taxes, interest on capital, &c., has been ascertained to be about sixty-two and one-half cents per mile run.

Assume that an engine brings down the Kaw valley and Smoky Hill fork, from the mountains to Lawrence, over grades either level or descending, in an easterly direction for several hundred miles, a train of 94 loaded cars. To transport this train from Lawrence to the Missouri river, a distance of 40 miles, over grades of 72 feet per mile, the same engine could only take 15 of these cars. It has been shown that the same engine will haul nearly twice the number of loaded cars over a 40-foot grade that it will over a 72-foot grade.

The above mode of reasoning shows that an engine will be obliged to traverse the present line twice in order to transport a given amount of tonnage from Lawrence to the Missouri river, over grades of 72 feet per mile, when, with a grade of 40 feet per mile, it would only be obliged to traverse it once.

The additional wear and tear to superstructure and machinery, chargeable to high grades, together with the increased liability to delays from dividing and making up trains, would also come within the limits of the discussion, but enough has already been said to enable you to arrive at a correct conclusion not only with reference to the improvement of the grades in question, but as to the general principles that should govern the location of other portions of your road.

The Union Pacific railway, eastern division, is to be a great national thoroughfare for all time to come. The government has endowed it most liberally. The amount of its business will be limited only by its capacity, and it is therefore of the greatest importance that all the facilities afforded by nature should be taken advantage of, both in the location and construction of the road."

The Secretary, after an interview with the President, in which the Secretary of the Treasury, Lieutenant Colonel Simpson, president of board of commissioners, Mr. Perry, the president of the company, and his associates, were present, addressed to Mr. Perry the following letter :

DEPARTMENT OF THE INTERIOR,

Washington, D. C., October 26, 1865.

SIR : In an interview between your associates and the President on the subject of the acceptance of the first section of forty miles of the Union Pacific railroad, eastern division, I understood them to say that they were willing to remedy the defects in the grade, curvatures, embankments, buildings, switches, bridges, drainage, &c., indicated in the report of Colonel Simpson and H. D. Scott, whom the President had appointed, in conjunction with Governor Samuel J. Crawford, as commissioners to re-examine the said first section.

It will be necessary to come to a definite understanding on this subject. I therefore request that this proposition be reduced to writing for the official action of the department, and it is proper, perhaps, that I should state frankly that I desire that the grade should be reduced to thirty feet per mile, so as to correspond with that required by the Nebraska branch ; and that the improved bridges, with stone abutments and piers, with the other improvements suggested, should be made within such reasonable time as the Secretary of the Interior may decide, subject to the approval of the President of the United States ; and that the Wyandotte branch shall be regarded and treated as siding.

With great respect, I have the honor to be your obedient servant,

JAMES HARLAN, *Secretary.*

HON. JOHN D. PERRY,

*President of the Union Pacific Railroad Co., Eastern Division, Washington City.**Mr. Perry's reply.*

UNION PACIFIC RAILWAY COMPANY, EASTERN DIVISION,

Washington, D. C., October 26, 1865.

DEAR SIR : The gentlemen now connected with the Union Pacific railroad, eastern division, are desirous, as stated during the interview to-day with the President and yourself, of doing everything which they reasonably can, without interfering with the daily operations of the line, to meet your wishes in regard to the character of the road.

In order that the bonds and patents for lands due us may be delivered without delay, thus enabling us to proceed vigorously with the construction of our road westward, we propose to reduce the maximum grades on the line accepted by the President June 19, 1865, between Lawrence and the Missouri State line, to forty-five (45) feet per mile within twelve months from this date ; and also that the grades between Lawrence and Fort Riley shall not in any case exceed a maximum of thirty (30) feet per mile.

We further propose within the same period of twelve months, or sooner, if needed, to provide water-stations that shall average not exceeding twelve (12) miles apart ; to provide bridges of improved spans and construction, and to improve the drainage and embankments wherever it may be found necessary ; also to complete the intermediate station-houses, and the necessary depots at the Missouri State line for the proper transfer of all passenger and freight traffic to and from the Pacific railroad of Missouri.

In short, we propose that this portion of the line shall be fully equal to all the demands that may be made upon it for the prompt transportation of all government troops and property, and all other traffic that may be offered.

Very respectfully, your obedient servant,

JOHN D. PERRY,

President Union Pacific Railroad Company, Eastern Division.

HON. JAMES HARLAN,

*Secretary of the Interior.**Extract from report of Major General Sherman to Lieutenant General Grant.*

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI.

St. Louis, Missouri, October 23, 1865.

DEAR GENERAL :

The other or second line of railroad west is that which begins at the mouth of the Kansas or Kaw, at Kansas City or Wyandotte, two towns at its mouth on the Missouri river. I learn that there has been much controversy about this road, with which I have nothing to do. I went over it in company with Mr. Shoemaker's contractor for finishing the road as far as Fort Riley. The road is located in the bottom of the valley, near the river, on its

north bank, forty miles to a point opposite the thriving town of Lawrence, and thence in the bottom for ten miles in the direction of Riley. I found a heavy working force laying road at the rate of from one-half to three-quarters of a mile per day, using excellent iron and oak cross-ties. The road-bed seems to have been made too low, and the heavy freshets of the past summer covered some parts of the road and damaged materially some of its cuts, embankments, and bridges. All of these have been repaired since the subsidence of the waters, except a part of the bridge across the Kansas near its mouth; but the cars now run daily from the bank of the Missouri river, at the town of Wyandotte, to Lawrence, at the rate of twenty miles per hour and appear to be doing a most prosperous business. Mr. Shoemaker assured me that if the present most favorable weather lasted, he would have the road in running order out as far as Topeka, twenty-six miles west of Lawrence, or sixty-six miles out from the Missouri river, in thirty days. I regard this road as the most important element now in progress to facilitate the military interests of our frontier. It has connexion with all the railroads of our country east by and through the Missouri Pacific railroad, now well finished from St. Louis to Kansas City, so that troops with military stores may be sent by continuous rail from any point east of the Mississippi to its terminus. I hope the general government will not delay or hinder the construction of this road one hour, for every mile added to it may be of infinite use. I am well acquainted with most of the parties interested in this road and its connexions. Within a month the little break now in Kansas City will be repaired, and also connexions will be made to Fort Leavenworth by next June by a short road from Kansas City to Leavenworth, and from Leavenworth to Lawrence, a kind of triangle that will bring Fort Leavenworth in communication with the road, east and west. The main line of the Kansas valley will hardly be of use to us until it is completed to Fort Riley, when it will be of immense saving. Fort Riley is a well-built post, with ample quarters, stables, and storehouses; and from that point radiate roads to Kearney, Denver, and New Mexico, and the moment stores can be delivered there by rail it will become the grand depot of the frontier. It so happens also that the fertile lands and bad roads there terminate, and sterile lands and good roads begin. I therefore repeat that the government will save a vast amount in money, and will increase the efficiency of the army on the frontier, by facilitating by all means in its power the construction of the Pacific railroad to that point. It is a physical impossibility to complete it this season, but during next year it ought to be done in the most perfect manner. The present road is all that could be asked for as to iron, ties, and equipment, and the interest of the company will make them make the road-bed higher above the natural lay of the valley. The new part west of Lawrence is being prepared right, and that completed from Kansas City up to Lawrence is being repaired as fast as labor can be had.

I am, with great respect,

W. T. SHERMAN,
Major General, Commanding.

Gen. J. A. RAWLINS, *Chief of Staff to Lieutenant General Grant, Washington, D. C.*

The Secretary submits to the President the report of the commissioners appointed by him to re-examine the road:

DEPARTMENT OF THE INTERIOR,
Washington, D. C., October 28, 1865.

SIR: I have the honor herewith to submit the report of the commissioners appointed by the President on the 19th September, 1865, to re-examine the first forty miles of the Union Pacific railroad, eastern division; also, a copy of a letter submitted by me to Colonel John D. Perry, president of said road, dated the 26th of October, 1865; also, a copy of a letter of the said president, dated October 26, 1865, in which he proposes, in behalf of the company, to remedy within a reasonable period of time the defects in said road reported by the commissioners above referred to; and also an extract from a report of Major General Sherman, indicating the character of said road, and the great importance to the government of its speedy extension to Fort Riley. From an examination of this report, and from information derived from other sources, I have become fully satisfied that the said road is now in the possession and under the control of gentlemen of the highest respectability, and of ample means to prosecute its construction rapidly and successfully, and that it is their intention to build it in conformity in every respect with the requirements of law.

I therefore recommend that the Secretary of the Treasury be directed by the President to issue to said company the bonds to which they would be entitled by law upon the completion of the first section of the aforesaid road, beginning at the boundary line of the

States of Kansas and Missouri, near the mouth of the Kansas river, and extending forty miles on the main line to a point west of the city of Lawrence, (not including in this measurement the branch road commencing at Wyandotte and extending one and eight-tenths mile to the junction with the main track on the north side of the Kansas river;) and that the Secretary of the Interior be directed by the President to certify to said company the lands to which they become entitled on the completion of the first section of said road, under the act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July 1, 1862, and the amendment thereto, approved July 2, 1864; the said Secretary of the Treasury and Secretary of the Interior, respectively, first being fully satisfied that the parties applying for said bonds and said lands are the true representatives of the company authorized by law to construct the aforesaid road.

I am, sir, with much respect, your obedient servant,

JAMES HARLAN, *Secretary.*

To the PRESIDENT.

Indorsement on the above letter of the Secretary by the President.

EXECUTIVE MANSION, October 28, 1865.

The within recommendations of the Secretary of the Interior are approved, and the Secretary of the Treasury and himself are hereby directed to carry the same into effect in the manner proposed.

ANDREW JOHNSON, *President.*

The Secretary files letter from Mr. Perry, president of the company, dated June 23, 1865, transmitting map showing general route of road from a point on State line between Missouri and Kansas as far as 100th meridian of longitude:

DEPARTMENT OF THE INTERIOR,

Washington, D. C., July 1, 1865.

SIR: I have received your letter of the 23d ultimo, enclosing a map showing the general route of the Union Pacific railroad, eastern division, from a point on the State line between Missouri and Kansas to the crossing of the one hundredth meridian of longitude west from Greenwich. The map has been appropriately filed.

I am, sir, very respectfully, your obedient servant,

JAMES HARLAN, *Secretary.*

JOHN D. PERRY, Esq.,

President U. P. R. R. Company, Eastern Division, St. Louis, Missouri.

Mr. Perry, president of the road, forwards affidavit in relation to completion of second section of twenty miles of road, &c.:

OFFICE UNION PACIFIC RAILWAY COMPANY, EASTERN DIVISION,

St. Louis, November 11, 1865.

SIR: I beg leave to enclose the affidavit required of me by the acts of Congress relating to Pacific railroad and telegraph, and to ask that you will appoint commissioners, without delay, to examine and report upon the section of twenty miles now ready for use preparatory to application being made on the part of this company for the government aid on said section.

Very respectfully, yours,

JOHN D. PERRY, *President.*

His Excellency ANDREW JOHNSON,
President of the United States.

Affidavit of Mr. Perry.

STATE OF MISSOURI, City and county of St. Louis.

John D. Perry states that he is president of the Union Pacific Railway Company, Eastern Division, the first forty miles of which road, beginning at or near the mouth of the Kansas river, on the south side thereof, and ending near the city of Lawrence, Kansas, being completed, according to the requirements of the acts of Congress, the government of the United States has accepted and issued the subsidy bonds provided by law to aid in the construction.

He further states that an additional twenty miles of said railroad and telegraph line, beginning at the terminus of said forty miles west of the Missouri State line, and following the line of location as on file in the Department of the Interior, and ending at or near the bridge over Grasshopper creek, in an open prairie, has also been reported to me by the chief engineer (R. M. Shoemaker, esq.) of the road as in a condition to be inspected by the commissioners under the requirements of the 4th section of the act of Congress approved July 2, 1862, and the amendatory and supplemental acts in connexion therewith.

UNITED STATES OF AMERICA, *Eastern district of Missouri, ss:*

John D. Perry, being duly sworn, deposes and says that the foregoing statements are true to the best of his knowledge and belief.

JOHN D. PERRY.

Sworn and subscribed before me on this the 11th day of November, A. D. 1865.

SAMUEL TREAT,

Judge of the District Court of the United States for the Eastern District of Missouri.

Order of the President of the United States appointing commissioners to examine said section, &c.

EXECUTIVE MANSION,

Washington, November 22, 1865.

By virtue of the authority vested in the President of the United States by the sixth section of an act entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes,'" approved July 2, 1864, and in compliance with the recommendation of the Secretary of the Interior, I do hereby appoint Lieutenant Colonel James H. Simpson, corps of engineers United States army, Hon. Samuel R. Curtis, of Iowa, and William Prescott Smith, of Maryland, commissioners, to examine, under instructions from the Secretary of the Interior, the section of twenty miles of the Union Pacific railroad, eastern division, reported as having been completed west of and adjoining the section of forty miles of said road which has been accepted by the government, and such other sections of said road or roads as may be completed from time to time, and to make report thereof in the manner contemplated and specified by said acts.

ANDREW JOHNSON, *President.*

The above named commissioners have been duly notified of their appointments, and will proceed without delay to examine the section reported completed.

The honorable Secretary draws the attention of the honorable Secretary of the Treasury to section 11 of "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, &c.," requiring him to deposit in the office of the Secretary of the Interior a certain affidavit of the president and secretary of the company in relation to the bonds, &c., issued by the company:

DEPARTMENT OF THE INTERIOR,

Washington, D. C., November 17, 1865

SIR: A copy of the affidavit of the president and secretary of the Union Pacific railway, eastern division, required by law to be filed in this department, having been called for, I respectfully call your attention to section 11 of an act to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July 2, 1864, to wit:

"Sec. 11. *And be it further enacted*, That if any of the railroad companies entitled to bonds of the United States, or to issue their first mortgage bonds herein provided for, has, at the time of the approval of this act, issued, or shall thereafter issue, any of its own bonds or securities in such form or manner as in law or equity to entitle the same to priority or preference of payment to the said guaranteed bonds, or said first mortgage bonds, the amount of such corporate bonds outstanding and unsatisfied, or uncancelled, shall be deducted from the amount of such government and first mortgage bonds which the company may be entitled to receive and issue; and such an amount only of such government bonds, and such first mortgage bonds, shall be granted or permitted, as, added to such out-

standing unsatisfied or uncanceled bonds of the company, shall make up the whole amount per mile to which the company would otherwise have been entitled: And provided, further, that before any bonds shall be so given by the United States, the company claiming them shall present to the Secretary of the Treasury an affidavit of the president and secretary of the company, to be sworn to before the judge of a court of record, setting forth whether said company has issued any such bonds or securities; and if so, particularly describing the same, and such other evidence as the Secretary may require, so as to enable him to make the deduction herein required; and such affidavit shall then be filed and deposited in the office of the Secretary of the Interior; and any person swearing falsely to any such affidavit shall be deemed guilty of perjury, and on conviction thereof shall be punished as aforesaid: Provided, also, that no land granted by this act shall be conveyed to any party or parties, and no bonds shall be issued to any company or companies, party or parties, on account of any road or part thereof, made prior to the passage of the act to which this act is an amendment, or made subsequent thereto, under the provisions of any act or acts other than this act and the act amended by this act."

I am, sir, very respectfully, your obedient servant,

JAMES HARLAN, *Secretary.*

HON. HUGH McCULLOCH,
Secretary of the Treasury.

The honorable Secretary of the Treasury transmits for file in the Department of the Interior the affidavit called for in the above letter:

TREASURY DEPARTMENT,
November 22, 1865.

SIR: Your letter of November 17, calling my attention to section XI, act of July 2, 1864, requiring that the affidavit presented to this department by the president and secretary of the Union Pacific Railway Company, Eastern Division, shall be filed and deposited in the office of the Secretary of the Interior, is received; and in reply I have the honor to forward you herewith the affidavit of Mr. John D. Perry and William J. Palmer, dated October 28, 1865, relative to the first section of said Union Pacific Railway Company, Eastern Division. You will oblige me by acknowledging the receipt of the same.

I am, very respectfully, yours,

H. McCULLOCH, *Secretary.*

HON. JAMES HARLAN, *Secretary of the Interior.*

Affidavit of the president and secretary of the company.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

John D. Perry and William J. Palmer, being severally sworn, say, and each for himself says:

That the said John D. Perry is, and since April fourth, one thousand eight hundred and sixty-four, has been the president of the Union Pacific Railway Company, Eastern Division, formerly called the Leavenworth, Pawnee, and Western Railroad Company; and that said William J. Palmer is, and since the twenty-seventh of September last has been, the secretary of said company.

These affiants further state, in compliance with the act of Congress approved July second, one thousand eight hundred and sixty-four, entitled "An act to amend an act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July the first, eighteen hundred and sixty-two, that the said Union Pacific Railway Company, Eastern Division, executed to Washington Hunt and Samuel B. Ruggles, as trustees, a mortgage dated June the fifteenth, eighteen hundred and sixty-three, called a construction mortgage, to secure the payment of nine series of bonds, each series containing six hundred and forty bonds, and designated by the letters A to I inclusive; one of each said series being intended to apply to and correspond with one of the nine sections of forty miles each into which the road of said company was divided. That subsequently the said Hunt and Ruggles resigned their office of trustee, and, in pursuance of the provisions of the said mortgage, John R. Shepley and Andrew McKinley, of St. Louis, Missouri, were substituted as trustees in their place.

That the said company executed and issued one of the said series of bonds secured by said mortgage, which said series is known as series A, and includes six hundred and forty bonds of one thousand dollars each, dated June the fifteenth, eighteen hundred and sixty-three.

That by the terms of the said bond, and by the express provision of the said mortgage, the said construction bonds were to be convertible into the thirty-years six per cent. United States bonds mentioned in and authorized to be issued to said company by the fifth section of the aforesaid act of July the first, eighteen hundred and sixty-two; and the said last-mentioned United States bonds were to be issued to the holders of the construction bonds on the surrender and cancellation of the latter.

These affiants further state that the said six hundred and forty construction bonds, series A, before mentioned, were issued to John D. Perry, of St. Louis, for moneys advanced to aid in the construction of the first section of forty miles of the road of said company, and that the said bonds are held and possessed by the said John D. Perry.

These affiants further state that, for the purpose of enabling the said John D. Perry to receive the thirty years six per cent. United States bonds to which the said railway company is entitled by the said section of the act of July the first, eighteen hundred and sixty-two, and unto which said Perry was entitled to convert the said six hundred and forty construction bonds, the said company adopted a resolution of its board of directors on December fifth, eighteen hundred and sixty-three, and of which a copy is on file in the Treasury Department of the United States, by which the said John D. Perry was authorized to receive from the Secretary of the Treasury of the United States the United States bonds to which the said company is entitled, under the aforesaid act, on the completion of the first section of forty miles of the said road.

These affiants further state that no bonds under said mortgage have been issued or delivered by the said company except the six hundred and forty bonds, series A, for one thousand dollars each, amounting in the aggregate to six hundred and forty thousand dollars, and belonging to the said John D. Perry as aforesaid.

That said company, on the first day of January, eighteen hundred and sixty-four, executed a land grant mortgage upon its lands and corporate property, to secure certain bonds which it proposed to issue to be used in the construction of its road, and in which mortgage the said Shepley and McKinley are the trustees; which said land grant mortgage was subject to the construction mortgage and the bonds to be issued by the government, and contained the following clause: "the said property being subject to the lien of the mortgage or trust-deed dated June the fifteenth, eighteen hundred and sixty-three, before mentioned, and of the six per cent. bonds of the United States into which the bonds secured by said deed are convertible."

These affiants further state that the said Union Pacific Railway Company, Eastern Division, has not made any mortgage on their road and telegraph line as contemplated and authorized by the tenth section of the aforesaid act approved July the second, eighteen hundred and sixty-four, nor issued any bonds or securities which in any form or manner are entitled in law or equity to priority or preference of payment to the United States six per cent. bonds, called government bonds, mentioned in the fifth section of the act of July the first, eighteen hundred and sixty-two, or any of the first mortgage bonds mentioned in the tenth section of the aforesaid act of July the second, eighteen hundred and sixty-four, as thereby authorized to do.

JOHN D. PERRY.
WILLIAM J. PALMER.

UNITED STATES OF AMERICA, *District of Columbia, act.:*

On this the 28th day of October, 1865, before the undersigned, one of the judges of the supreme court of the District of Columbia, a court of record of the United States, personally appeared John D. Perry, the president, and William J. Palmer, the secretary of the Union Pacific Railroad Company, Eastern Division, and were by me severally sworn that the foregoing affidavit by them subscribed in my presence was true in substance and in fact.

ANDREW WYLIE,
Judge of the Supreme Court of the District of Columbia.

Hannibal and St. Joseph railroad, or Atchison branch of the Pacific railroad.

The company accept the provisions of the act of Congress approved July 1, 1862:

DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 18, 1863.

SIR: I have to acknowledge the receipt of your letter of the 16th instant, transmitting to the department the acceptance by the board of directors of the Hannibal and St. Joseph Railroad Company of the provisions of the act of Congress, approved July 1,

1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes."

Very respectfully, your obedient servant,

W. T. OTTO, *Acting Secretary.*

R. S. WATSON, Esq.,

Treas. of Fiscal Agency of Hannibal and St. Joseph R. R. Co., Boston, Mass.

The president of the company reports progress of construction :

OFFICE OF THE CENTRAL BRANCH UNION PACIFIC RAILROAD COMPANY,
61 Cedar street, New York, November 15, 1865.

SIR : I take great pleasure, as president of the Atchison branch of the Union Pacific Railroad Company, to state, for information of any one interested, that our road is rapidly progressing to an early completion of the first section of twenty miles.

The masonry and bridges are all completed, and the ties, of the best quality, all out, and the track now being laid.

The contractor agrees to have the first twenty miles completed on the 1st day of January next. The iron is on hand. We use that manufactured by the Cambria Iron Works of Pennsylvania.

All our bridges are of Howe's truss bridge pattern, and of hard pine ; all of them were manufactured at Chicago.

We have driven no piles, but set every bridge and made every culvert of the most substantial masonry.

Buildings also are being erected of stone, with corrugated iron roofing.

The second section of twenty miles is also under contract, to be completed in like manner by the 1st of May.

All of which is most respectfully submitted.

S. C. POMEROY, *President.*

Hon. Mr. HARLAN, *Secretary of the Interior.*

Sioux City and Pacific railroad.

The President of the United States designates the Sioux City and Pacific railroad to construct the Sioux City branch of the Union Pacific railroad :

Whereas the Sioux City and Pacific Railroad Company, a company organized under the laws of Iowa, has requested the President of the United States to designate said company for the purpose of constructing and operating a line of railroad and telegraph from Sioux City to such point on and so as to connect with the Iowa branch of the Union Pacific railroad from Omaha, or the Union Pacific railroad, as such company may select, therefore be it known that, by the authority conferred upon the President of the United States by the 17th section of the act of Congress, approved July 2, 1864, entitled "An act to amend an act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean," &c. &c., I, Abraham Lincoln, President of the United States, do hereby designate the said Sioux City and Pacific Railroad Company for the purpose above mentioned.

ABRAHAM LINCOLN.

December 24, 1864.

The president of the company files general route of road :

DEPARTMENT OF THE INTERIOR,
Washington, D. C., June 27, 1865.

SIR : I have to acknowledge, at the hands of W. W. Hamilton, esq., secretary of the company, a map designating the general route of its railroad, known as the Sioux City and Pacific railroad, as provided for in the acts of Congress relating thereto approved July 1, 1862, and July 2, 1864.

Very respectfully, your obedient servant,

JAMES HARLAN, *Secretary.*

JOHN J. BLAIR, Esq.,

President, &c., Dubuque, Iowa.

There is no evidence in the department of this company having commenced work on their route.

Central Pacific railroad of California.

The Central Pacific Railroad Company accepts the provisions of the act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean," &c., approved July 1, 1862:

DEPARTMENT OF THE INTERIOR,

Washington, D. C., December 24, 1862

SIR: The acceptance by the Central Pacific Railroad Company of California of the provisions of the 9th section of the act of July 1, 1862, to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, transmitted in your letter of the 1st ultimo, has been received, and placed on file in this department.

Very respectfully, your obedient servant,

CALEB B. SMITH, *Secretary.*

MARK HOPKINS, Esq.,

Secretary Central Pacific Railroad Company, California, San Francisco.

The map of the general route of railroad is filed in the Department of the Interior:

DEPARTMENT OF THE INTERIOR,

Washington, D. C., July 6, 1864.

SIR: I have to acknowledge the receipt of your letter of the 2d instant, and the accompanying map of the general route of the California Pacific railroad from Sacramento eastwardly to the Big Bend of Truckee river, in Nevada Territory.

The map was made the basis of an order, dated this day, addressed to the Commissioner of the General Land Office, directing the withdrawal from pre-emption, private entry, and sale of the public lands on each side of said route, for twenty-five miles in width.

A copy of that order is now enclosed to you, as you requested.

I am, sir, very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

C. P. HUNTINGTON, Esq.,

Vice-President Central Pacific Railroad, California, New York.

The president appoints three commissioners to examine the road:

EXECUTIVE MANSION, *Washington, July 8, 1864.*

By virtue of the authority vested in the President of the United States by the sixth section of an act entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes,'" approved July 2, 1864, Frederick F. Low, P. H. Sibley, and Josiah Johnson, of California, are hereby appointed the commissioners to examine and report to the President of the United States the road or roads authorized by said acts to be constructed by the Central Pacific Railroad Company, or any other company in the State of California, as contemplated and specified by said acts.

ABRAHAM LINCOLN.

The Secretary requests the Secretary of the Treasury to forward to the Department of the Interior the report of said commissioners, and the order of the President designating the point at which the western base of the Sierra Nevada mountains commences:

DEPARTMENT OF THE INTERIOR,

Washington, D. C., February 13, 1865.

SIR: The vice-president of the Central Pacific Railroad Company, of California, has applied to this department for a conveyance of title to a portion of the lands granted said company by acts of Congress of July 1, 1862, and July 2, 1864, and advises me that the certificate of the commissioners appointed by the President of the United States, on the 8th of July last, showing the completion of thirty-one miles of said road, has been presented to your department, with the application for stocks, and that there is also among the papers there an order of the President, made some twelve months since, fixing a point at the western base of the Sierra Nevada mountains, through which the main line of the Pacific railroad shall pass.

I would respectfully request that the papers mentioned, if not required for your immediate use, be transmitted to this department, to be placed on the files relating to the Pacific railroad.

I am, sir, very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

Hon. W. P. FESSENDEN, *Secretary of the Treasury.*

The Secretary of the Treasury forwards to the Secretary of the Interior the papers called for:

TREASURY DEPARTMENT, *February 25, 1865.*

SIR: In compliance with the request contained in your letter of February 23, I herewith transmit certified copies of the report of the commissioners, showing the completion of a part of the Central Pacific railroad of California, and of the order of the President fixing a certain point as the western base of the Sierra Nevada mountains.

Very respectfully,

W. P. FESSENDEN,
Secretary of the Treasury.

Hon. J. P. USHER, *Secretary of the Interior.*

UNITED STATES OF AMERICA,
Treasury Department, February 25, 1865.

Pursuant to the act of Congress of 22d February, 1849, I hereby certify that the annexed is a true copy of the report of commissioners appointed to examine and report upon the Central Pacific railroad of California, made from the original on file in this office.

In witness whereof, I have hereunto set my hand and caused the seal of the [L. s] Treasury Department to be affixed on the day and year first above written.

W. P. FESSENDEN,
Secretary of the Treasury.

Report of the Commissioners.

UNITED STATES OF AMERICA, *State of California.*

To his Excellency Abraham Lincoln, President of the United States:

The undersigned, F. F. Low, P. H. Sibley and Josiah Johnson, commissioners appointed by your excellency to examine and report upon the Central Pacific railroad of California, under and in pursuance of the provisions of an act of Congress entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July 1, 1862, and the act to amend the said act, approved July 2, 1864, would respectfully state that they have, in pursuance of a notice from the United States surveyor general of the State of California, examined the following portion of the railroad and telegraph line of the said Central Pacific Railroad Company of California, to wit: Beginning on the east bank of the Sacramento river at the foot of I street in the city of Sacramento, in said State of California, and ending at a point thirty-one miles distant from said point of beginning, measured on the line of said railroad, the same being near the town of Newcastle, in Placer county, California, and as a result of such examination and from written evidence submitted to us, respectfully report and certify that the said thirty-one miles of said railroad and telegraph line is fully completed, and the same is in running order, and in daily use; that the same is a portion of the railroad and telegraph line mentioned and provided for in and by the said acts of Congress, and is constructed and completed in the manner required by the said acts, from the said point of beginning, on the east bank of the Sacramento river, at the foot of I street, in the city of Sacramento, for said distance of thirty-one consecutive miles from said point of beginning, and is ready for the service contemplated by said acts of Congress, and the same is supplied with all necessary drains, culverts, viaducts, crossings, sidings, bridges, turnouts, watering places, depots, equipments, furniture, rolling stock, cars, locomotives, and all the appurtenances of a first-class railroad, and is constructed of the best material and in a most durable and permanent manner, and the rails, and all the other iron used in the construction and equipment of the said thirty-one miles of said road, are of American manufacture of the best quality; that the track of said railroad is of the uniform width and gauge of four feet eight and one-half inches, and the grades and curves of the said railroad do not exceed the maximum grades and curves of the Baltimore and Ohio railroad; that the maximum grade

of the said thirty-one miles of said railroad does not exceed one hundred and five and six-tenths (105 $\frac{6}{10}$) feet per mile, and the maximum curve does not exceed eight degrees or a radius of seven hundred and seventeen (717) feet, except a few short curves in the city of Sacramento, which do not exceed twelve degrees and ten minutes or a radius of four hundred and seventy-two (472) feet; and that the distance from the beginning point of said thirty-one miles of railroad to the crossing of Arcade creek, the point fixed by your excellency as the western base of the Sierra Nevada mountains, is seven and eighteen-hundredths miles, and the remainder of said thirty-one miles of railroad lies eastwardly from said point so fixed as the western base of said mountains. All of which is respectfully submitted.

Witness our hands, at Sacramento, this eighth day of September, 1864.

FRED. F. LOW.
JOSIAH JOHNSON.
P. H. SIBLEY.

Attest:

E. R. CROCKER.
RALPH SMITH.

The President's order, fixing the point at the western base of the Sierra Nevada mountains, through which the Central Pacific railroad shall pass:

UNITED STATES OF AMERICA, TREASURY DEPARTMENT,
February 25, 1865.

Pursuant to the act of Congress of 22d February, 1849, I hereby certify that the annexed is a true copy of an order of the President of the United States, made in pursuance of the act of July 1, 1862, made from the original on file in this office.

In witness whereof, I have hereunto set my hand and caused the seal of the Treasury Department to be affixed, on the day and year first above written.

W. P. FESSENDEN,
Secretary of the Treasury.

EXECUTIVE MANSION,
Washington, January 12, 1864.

In pursuance of the eleventh section of the act of Congress entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July 1, 1862, the point where the line of the Central Pacific railroad crosses Arcade creek, in the Sacramento valley, is hereby fixed as the western base of the Sierra Nevada mountains.

ABRAHAM LINCOLN.

The Secretary orders the Commissioner of the General Land Office to issue to the company certain land grants:

DEPARTMENT OF THE INTERIOR,
Washington, D. C., March 2, 1865.

SIR: The commissioners appointed by the President, under the sixth section of the act of Congress approved July 2, 1864, have reported to him that a portion of the line of railroad and telegraph from a point on the east bank of the Sacramento river, at the foot of I street, in the city of Sacramento, California, for a distance of thirty-one consecutive miles eastward, has been constructed and fully completed and equipped in the manner presented by the acts of Congress relative to the Pacific railroad and telegraph line; and the vice-president of the Central Pacific railroad of California has applied for a conveyance of the title to the lands granted to said company by the acts of Congress of July 1, 1862, and July 2, 1864.

A copy of the report of said commissioners has been furnished to this department and placed on file, and also a copy of the order of the President of the United States, dated January 12, 1864, fixing, under authority conferred on him by the eleventh section of the act of July 1, 1862, "the point where the line of the Central Pacific railroad crosses Arcade creek, in the Sacramento valley, as the western base of the Sierra Nevada mountains."

As your office has before it the lists of lands that have been sold and located, or claimed under the pre-emption laws, in the Marysville and Stockton land districts, you will, it is hoped, be able at once to issue patents to the company for the granted tracts which lie opposite to said completed portion of thirty-one miles of road.—(See section 6, act July 2, 1864.)

You are accordingly directed to proceed with the work of patenting such tracts as rapidly as possible. Copies of the papers herein mentioned are enclosed.

I am, sir, very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

COMMISSIONER OF THE GENERAL LAND OFFICE.

The President of the United States, on the 26th July, 1865, referred to the honorable Secretary of the Interior the following papers addressed to him by Leland Stanford, president of the road, and Lauren Upson, surveyor general of California, setting forth another section of road completed :

UNITED STATES SURVEYOR GENERAL'S OFFICE,
San Francisco, California, June 29, 1865.

SIR: I herewith transmit a certified copy of the statement of Leland Stanford, president of the Central Pacific Railroad Company, of California, in relation to the extension of the lines of the said railroad twelve miles eastwardly from the point of termination of the thirty-one miles of railroad referred to in the statement of the company above referred to, of date August 31, 1864, these statements being in accordance with the provisions of the acts of Congress of July 1, 1862, July 2, 1864, and March 3, 1865.

I am, sir, very respectfully, your obedient servant,

L. UPSON,
United States Surveyor General.

His Excellency ANDREW JOHNSON,
President of the United States, Washington, D. C.

UNITED STATES OF AMERICA, *State of California.*

To his excellency, Andrew Johnson, President of the United States, and Hon. Lauren Upson, United States surveyor general for the State of California :

The Central Pacific Railroad Company of California, under and in pursuance of the provisions of the act of Congress entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July 1, 1862, and the acts amendatory thereof, approved July 2, 1864, and March 3, 1865, makes the following statement: that in addition to the thirty-one miles of railroad line mentioned and described in the statement made by this company, under date of August 31, 1864, the said company have now in running order, and are operating twelve consecutive miles of their railroad line mentioned and provided for in and by the said acts of Congress; that the same is constructed in the manner required by said acts; that said addition and extension of said railroad line commences at the termination of the thirty-one miles of railroad and telegraph line described in said statement of August 31, 1864, and ends at the place or town known as Clipper Gap, in the county of Placer, in said State; that the said addition and extension is connected with, and is a continuation of, the said thirty-one miles of railroad line described in said statement of August 31, 1864; that the said addition and extension of said railroad line is ready for the service contemplated by said acts of Congress, and is supplied with all necessary drains, culverts, viaducts, crossings, sidings, bridges, turn-outs, watering places, depots, equipments, furniture, rolling-stock, cars and locomotives, and all the appurtenances of a first-class railroad, and the rails, and all the other iron used in the construction and equipment of the said addition and extension of the said railroad line, are of American manufacture, of the best quality; that the track of the said addition and extension of said railroad is of the uniform width and gauge of four feet eight and one half inches, and the grades and curves of the same do not exceed the maximum grades and curves of the Baltimore and Ohio railroad; that the maximum curve thereon does not exceed ten degrees or a radius of five hundred and seventy-three feet, and the maximum grade thereon does not exceed one hundred and five and six-tenths feet per mile; that the whole of said addition and extension lies eastwardly, or less than one hundred and fifty miles from the crossing of Arcade creek, the point fixed by the President of the United States as the western base of the Sierra Nevada mountains.

And the said company further states that a large proportion of the work required to prepare the road for the superstructure on the remaining portion of eight miles of the section of twenty miles lying next eastwardly from the termination of said section of thirty-one miles, described in said statement of August 31, 1864, is done; that six-tenths of the work required to prepare the road for the said section of twenty miles lying next eastwardly from the said section of thirty one miles, described in said statement of August 31, 1864, is done; that the value of the work done on the said section of twenty miles is not less than one million and ninety-eight thousand dollars.

The said Central Pacific Railroad Company of California, therefore, hereby requests the said United States surveyor general of the State of California, upon the filing of this statement in his office, to notify the Hon. F. F. Low, P. H. Sibley, and Josiah Johnson, the commissioners appointed by the President of the United States, under and in pursuance of the provisions of the said acts of Congress, for the said Central Pacific railroad, to examine and report and certify upon the said work done upon the said section of twenty miles, as required by said acts of Congress.

LELAND STANFORD,

President of Central Pacific Railroad Company of California.

SACRAMENTO, June 17, 1865.

STATE OF CALIFORNIA, County of San Francisco :

Leland Stanford, being duly sworn, says that he is the president of the said Central Pacific Railroad Company of California, and that the matters and things set forth in the foregoing statement are true and correct.

LELAND STANFORD.

Sworn to and subscribed to before me, Wm. Loewy, clerk of the district court of the 4th judicial district of said State, in and for said county, the same being a court of record, as witness my hand and the seal of said court this 17th day of June, 1865.

[L. s.]

WM. LOEWY, County Clerk,

Ex-officio Clerk of said District Court.

OFFICE OF THE SURVEYOR GENERAL OF THE UNITED STATES FOR CALIFORNIA.

I, L. Upson, surveyor general of the United States for the State of California, by virtue of the power vested in me by law, do hereby certify that the next preceding and hereunto annexed pages, numbered from one to four, inclusive, exhibit a true and correct copy of the sworn statement of Leland Stanford, president of the Central Pacific Railroad Company of California, in relation to the extension of the line of said railroad, twelve miles eastwardly from the termination of the thirty-one miles of railroad described in the statement of said company of August 31, 1864, made by said Leland Stanford, as president of said company, as the same appears on file and of record in this office.

In testimony whereof, I have hereunto signed my name officially, and caused my seal of office to be affixed, at the city of San Francisco, this 29th day of June, 1865.

[L. s.]

L. UPSON,

United States Surveyor General for California.

On receipt of the foregoing statement of Mr. Stanford, president of the road, the Secretary forwarded to the commissioners the following instructions :

DEPARTMENT OF THE INTERIOR,

Washington, D. C., July 29, 1865.

GENTLEMEN : The surveyor general of the State of California has transmitted to the President of the United States a certified copy of the verified statement of Leland Stanford, esq., president of the Central Pacific Railroad Company, of California, in relation to the construction of twelve consecutive miles of railroad, commencing at the termination of the thirty-one miles of railroad and telegraph line described in the statement made by said company, August 31, 1864, and ending at the place or town known as "Clipper Gap," in the county of Placer, in said State.

The original statement was filed in the office of the surveyor general pursuant to the provisions of the act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July 1, 1862, and the act amendatory thereof, July 2, 1864. I presume, for I have no information on the subject, that you have been notified of the filing of the statement, in order that you may proceed without delay to examine that part of the railroad and telegraph line to which it relates, and report thereon to the President of the United States.

The President must depend on the information embodied in your report to enable him to discharge the duty of determining whether the company has complied with the conditions and requirements of the acts of Congress touching the completion and equipment of this particular portion of the road. He, therefore, instructs me to say to you that he desires that your report should contain—

1st. A statement of the number of degrees of curved and the length of straight line, the width of embankments and excavations at the grade line, and the rates of the inclination of the slopes.

2d. A description of the culverts, their number and size; whether built of stone, brick, or wood; the number and span of open, box, and arch.

3d. A description of bridges, whether of iron, stone, or wood; the plan on which they are built; their number and maximum span; the abutments and piers of each; whether temporary or permanent; and if of stone, brick, or wood; also the length, height, and spans of trestle-work; and whether built on curved or straight line.

4th. A statement of the number of cattle guards and road crossings, the number of rods of post and board and rail fence, and the number of farm gates.

5th. A description of the superstructure, containing the number of miles of main track, the number of miles of side track, the weight of the rails per linear yard, the number of chairs to the mile, the weight of each, and whether of cast or wrought iron; the number and weight of spikes to the mile; the number of ties to the mile, their length, breadth, and thickness, and the kind of timber composing them; the number of miles of main and side track ballasted; the number of cubic yards of ballast to the yard linear, and the kind of material used for ballast.

6th. A description of the stations, with the number of passenger and freight houses, machine shops, wood sheds, and water tanks, the material of which they are built; the number of engine-houses, the number of stalls in each, and the material of which they are built; and a description of the signals, whether plain or "semaphore."

7th. A description of the rolling-stock, setting forth the number of locomotives, the weight, cost, and quality of each, and the name of the works where manufactured; the number of passenger, express, freight, platform, gravel, repair, and hand cars, the cost of each, &c.

8th. A statement of the number of miles that passenger trains can be run over the said extension per hour with safety.

9th. Any other facts that may aid him in forming a correct opinion of the character of the road said to be completed.

You will also transmit with your report a map of this part of the road on a scale of twenty chains to an inch, which shall show the radii and lengths of the curves, the directions and lengths of the tangent, and the width of land included between its boundaries; and a profile of the line on a scale of five hundred feet to an inch horizontal, and twenty-five feet to the inch vertical, showing the ascent or descent of each grade per mile.

I am, sirs, very respectfully, your obedient servant,

JAS. HARLAN, *Secretary.*

F. F. LOW, P. H. SIBLEY, JOSEPH JOHNSON, Esq's,
San Francisco, California.

Indorsed on the above letter is the following:

Approved:

ANDREW JOHNSON, *President United States.*

The surveyor general of California forwards to the President of the United States the verified statement of Mr. Stanford, president of the company, in relation to a certain section of the road which he reports ready for examination by the commissioners:

SACRAMENTO, CALIFORNIA, *September 16, 1865.*

SIR: Herewith I enclose to you the verified statement of the Central Pacific Railroad Company of California, filed in my office this day under and in pursuance of the act of Congress entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July 1, 1862, and the acts amendatory thereof, approved July 2, 1864, and March 3, 1865.

Yours, most respectfully,

LAUREN UPSON,

United States Surveyor General for Colorado and Nevada.

His Excellency ANDREW JOHNSON, *President of the United States.*

Verified statement of Mr. Stanford.

UNITED STATES OF AMERICA, *State of California:*

To His Excellency Andrew Johnson, President of the United States, and the Hon. Lauren Upson, United States surveyor general for the State of California:

The Central Pacific Railroad Company, of California, under and in pursuance of the provisions of the act of Congress entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, and to secure to the government

the use of the same for postal, military, and other purposes," approved July 1, 1862, and the acts amendatory thereof, approved July 2, 1864, and March 3, 1865, makes the following statement: That in addition to the thirty one miles of railroad and telegraph line mentioned and described in the statement made by the said company, under date of August 31, 1864, the said company has completed the grading and done all the work required to prepare the railroad for the superstructure on the section of twenty miles lying next eastwardly of the town of Newcastle, the termination of the section of thirty-one miles described in said statement of August 31, 1864, and the value of the said work done on said section of twenty miles to prepare the same for the superstructure, exceeds the sum of one million three hundred and fifty thousand dollars.

The said Central Pacific Railroad Company therefore hereby requests the said United States surveyor general of the State of California, upon the filing of this statement, to notify the honorable F. F. Low, P. H. Sibley, and Josiah Johnson, the commissioners appointed by the President of the United States under and in pursuance of the said acts of Congress, for the said Central Pacific railroad, to examine and report and certify upon the said work done upon the said section of twenty miles, as required by the said acts of Congress.

LELAND STANFORD,
President Central Pacific Railroad Company.

SACRAMENTO, September 16, 1865.

STATE OF CALIFORNIA, County of Sacramento.

Leland Stanford, being duly sworn, says that he is the president of the said Central Pacific Railroad Company of California, and that the matters and things set forth in the foregoing statement by him subscribed are true and correct.

LELAND STANFORD.

Sworn to and subscribed before me, A. C. Bidwell, clerk of the district court of the sixth judicial district of said State of California, in and for said county, the same being a court of record, as witness my hand and the seal of said court, this sixteenth day of September, 1865.

[L. S.] A. C. BIDWELL, *County Clerk,*
and ex officio Clerk of the Sixth Judicial District Court of Sacramento County.

On the envelope enclosing the above was the following indorsement:

Upon, Lauren, United States surveyor general for Colorado and Nevada, encloses verified statement of Central Pacific Railroad Company, filed in his office.

Respectfully referred to the honorable the Secretary of the Interior.

By order of the President:

R. D. MUSSEY,
Military Secretary.

Leland Stanford, president of the company, submits his report on the progress of the road:

OFFICE OF THE CENTRAL PACIFIC RAILROAD COMPANY,
Sacramento, Cal., October 10, 1865.

SIRS: By the laws of Congress known as the Pacific Railroad acts this company was selected as one of the agents of the national government to construct the western portion of that important national highway, the Pacific railroad. The great interest taken by the government and the people in its speedy completion, and the approaching session of Congress, would seem to justify a report from us of the progress made and the prospect of the final completion of that portion of the work intrusted to this company.

The first Pacific Railroad act was passed July 1, 1862. It provided for the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean, a distance of about two thousand miles, and crossing the Rocky and Sierra Nevada mountains. By its terms this company was authorized to build that portion lying between the Pacific coast and the eastern boundary of California, and from thence eastwardly until a meeting and connexion should be formed with the road in the course of construction from the east.

SURVEYS MADE IN 1861.

In the summer of 1861, and prior to the passage of that law, this company made several surveys and examinations of routes for a railroad over the Sierra Nevada mountains, under the superintendence of its chief engineer, the late T. D. Judah, esq. These were the first complete and thorough instrumental surveys ever made over those mountains. They were made for the purpose of ascertaining whether a feasible route existed, a fact long considered

doubtful, and which had formed the great obstacle to the passage of a Pacific Railroad bill. The result of those surveys and examinations fully demonstrated not only the entire practicability of the line by the South Yuba and Donner Pass, but its great superiority over all other known routes. It was therefore adopted by the company, after a full and careful consideration of so important a matter.

NECESSITY OF DESPATCH.

By the 9th section of the act this company was required to file its acceptance of its provisions, and assume the obligations and responsibilities therein imposed, within six months after its passage, which was done on the 3d day of December, 1862. By the 10th section we were required to complete fifty miles of the line within two years after filing the acceptance. The first fifty miles from Sacramento, the point from which this company commences its portion of the work, carries the road far up the western slope of the Sierra Nevadas, attaining an elevation of 2,306 feet, and includes some of the heaviest and most expensive grading on the whole line. All the iron, rolling stock, and railroad material had to be manufactured in the Atlantic States, requiring months of time, and then transported by sea and river thousands of miles, running the gauntlet of the rebel pirates, involving an expense of ten per cent. war risk insurance on all the material, and taking an average of ten months' time from its receipt on shipboard to its delivery at Sacramento. Time was also required to make the necessary location surveys, preparatory to the commencement of the work of grading. No time was, therefore, to be lost. Although the original act contained many provisions which rendered it difficult to induce capitalists to take an interest in so hazardous and expensive an undertaking, the ultimate success of which was still deemed uncertain, yet we did not hesitate to enter upon it vigorously, trusting that Congress would remedy the defects of the law. Many of these defects have been removed by subsequent legislation.

PROSECUTION OF THE WORK.

During the summer and fall of 1862 several parties of engineers were kept in the field to secure the most favorable location of the first fifty miles of the road and prepare the line for grading. An agent was promptly sent to the Atlantic States to procure the necessary iron, rolling stock, and other railroad material, contracts for which were entered into immediately upon his arrival there. Contracts were also let for grading thirty-one miles, from Sacramento to Newcastle.

The work of grading was commenced in February, 1863. The first shipment of iron reached Sacramento October 8, 1863, and the track-laying was immediately commenced, and steadily continued, with a few delays, caused by the non-receipt of iron and ties within the contracted time, up to June 6, 1864, when the road was completed to Newcastle, a distance of 31 miles, attaining an elevation of about 1,000 feet above tide-water. Much of this portion of the line is in rolling, rocky hills, requiring deep cuttings and heavy embankments, and was very expensive. The road was put in operation as soon as completed, and the trains have been run over it daily ever since without any stoppage.

The work of grading has been continued without cessation from the commencement, in February, 1863, up to the present time. The road was completed and put in operation from Newcastle to Clipper Gap, a distance of 12 miles, attaining an elevation of 1,785 feet, June 10, 1865, and to Colfax, a further distance of 12 miles, September 1, making in all 55 miles from Sacramento, and attaining an elevation of 2,448 feet. Not less than three daily trains each way have been run constantly over the whole completed line, except on Sundays.

The grading between Newcastle and Colfax was very difficult and expensive, increasing as the line was pushed up the mountain slope. The cuttings have been deeper, the embankments higher, and more rock-work encountered as the line has progressed eastward. One cut is 63 feet deep and 800 feet long, and several others are from 40 to 50 feet deep, and from 800 to 1,200 feet in length, all of which were through rock or hard cement, requiring to be blasted. Several expensive trestle bridges have been constructed across deep ravines, some as high as 100 feet in the centre. Some of the embankments are over 70 feet high. Time is required to complete such heavy work. The first fifty miles was completed prior to the 1st day of September, 1865, and several months within the time required by the Acts of Congress, as extended by the 5th section of the amended act passed July 2, 1864, an extension which was found necessary on account of the difficult character of the work.

DIFFICULTIES TO BE OVERCOME.

Nearly all this time the war with the rebels was raging. The only currency used in California as a circulating medium has been gold and silver coin, the national treasury notes having been practically excluded from general circulation. The company has, therefore, been compelled to use coin in all its business transactions in this State, including all its large expenditures for ties, grading, bridge-building, track-laying, &c. The lack of capital, and the high rate of interest, which has generally been two per cent. per month in California, compelled us to resort to the eastern States for the means to prosecute the enterprise. In those States the national currency is in universal use; but to convert that currency into coin, when the latter ranged at a premium of 200 to 250, involved too great a sacrifice. Thus the company found itself hampered in its financial operations, and unable to secure the amount of

coin necessary to carry on the work as vigorously as they desired without a serious sacrifice of its means. Other causes of delay occurred, but, as they were merely of a local and temporary character, it is unnecessary to refer to them.

On the first day of January, 1865, the prospect of a speedy close of the war, and favorable decisions by our State courts of several matters which had been in litigation, placed the affairs of the company in such a position that we felt justified in putting forth all our energies. A call was issued for 5,000 laborers, and from that day to the present, every able-bodied laborer that could be procured has been employed and kept constantly at work in the construction of the road. Labor is, however, scarce and dear in this State. For several months the number procured was comparatively small, but recently they have increased more rapidly, until now 5,000 men are employed with over 600 teams, and the prospect is that the number of laborers will be increased to 6,000 during this season.

CHINESE LABOR.

A large majority of the white laboring class on the Pacific coast find more profitable and congenial employment in mining and agricultural pursuits than in railroad work. The greater portion of the laborers employed by us are Chinese, who constitute a large element in the population of California. Without them it would be impossible to complete the western portion of this great national enterprise within the time required by the acts of Congress.

As a class they are quiet, peaceable, patient, industrious, and economical. Ready and apt to learn all the different kinds of work required in railroad building, they soon become as efficient as white laborers. More prudent and economical, they are contented with less wages. We find them organized into societies for mutual aid and assistance. These societies, that count their numbers by thousands, are conducted by shrewd, intelligent business men, who promptly advise their subordinates where employment can be found on the most favorable terms.

No system similar to slavery, serfdom, or peonage, prevails among these laborers. Their wages, which are always paid in coin at the end of each month, are divided among them by their agents, who attend to their business, in proportion to the labor done by each person. These agents are generally American or Chinese merchants, who furnish them their supplies of food, the value of which they deduct from their monthly pay. We have assurances from leading Chinese merchants that, under the just and liberal policy pursued by the company, it will be able to procure during the next year not less than 15,000 laborers. With this large force, the company will be able to push on the work so as not only to complete it far within the time required by the acts of Congress, but so as to meet the public impatience.

FUTURE PROSPECTS.

With the force of laborers which we are confident can be procured, if the national government shall promptly issue to us the bonds granted by the acts of Congress, we shall be able to complete the railroad over the Sierra Nevadas to the Truckee river, a distance of 120 miles from Sacramento, attaining at the summit an altitude of 7,000 feet above tide-water, during the year 1866; thence to a point 50 miles east of the Great Bend of the Truckee river during the year 1867, and to Salt Lake in two years thereafter, where we hope to meet the road being built from the east. We feel confident of being able, after reaching the Truckee river, to construct the road eastward as rapidly as the track can be laid.

The construction of a railroad over so high a mountain range is necessarily slow and expensive, but it is the determination of this company to press on vigorously, and to employ all the men and means they can command to complete the road as early as practicable. We have encountered and are now laboring upon the most difficult and expensive portion of the line intrusted to us. This, too, at the very commencement of our efforts. But another year will enable us to extend the road over the long dreaded Sierras. We have gone far enough already to convince the most incredulous not only of the entire feasibility of the route, but that the work can and will be accomplished within the time stated.

CHARACTER OF ROAD BUILT.

The road, so far as completed, will compare favorably with any other railroad in the United States. The rails used are of the best quality of American iron, from 24 to 28 feet long, and weigh sixty pounds to the yard. The chairs are of wrought iron. The cross-ties are 6 by 8 and 10 inches, and eight feet long, of redwood, which is equal to red cedar or locust for durability, and number 2,400 to the mile. The culverts are all of granite or other hard rock, except a few of hard-burnt brick in the valley, where stone could not be procured. The bridges and trestle work are made of the best quality of Puget Sound timber, with redwood sills, placed on foundations of masonry. The drainage is ample and complete. The road is well ballasted with gravel and broken rock. The alignment is remarkable for its directness in such a broken, mountainous country. The least radius of curvature is 573 feet, or ten degrees. The grades are necessarily high to surmount the summit, which is 7,000 feet above the sea level, which is attained without any undulatory grades, the rise and fall being constant, and no elevation being lost. The highest grade used is 105 feet per mile, of which there are 134 miles on the present completed line. We find no difficulty in operating these portions of the

road, running the regular passenger trains thereon at the rate of twenty-five miles, and freight trains twelve miles per hour. A greater speed could be obtained, but so far it has not been found necessary.

Mr. George E. Gray, late chief engineer of the New York Central railroad, after a careful examination of the work, reports as follows: "That portion of the railroad completed and in operation from the city of Sacramento to Clipper Gap, forty-three miles,* will compare most favorably in every respect with any railroad in the United States." The locomotives and cars in use are of the best kind, of American manufacture, and kept in perfect order. All the tunnels will be constructed wide enough for double tracks, as we are confident a double track will be needed in a few years to do the business of the road.

STATISTICS OF WORK AND MATERIAL.

The following is a statement of the amount of work done, and materials and rolling stock purchased up to this date:

Earth excavated, number of cubic yards.....	1,465,970
Rock excavated, number of cubic yards.....	821,984
Stone masonry, number of cubic yards.....	21,299
Culverts, number, 215; length in feet.....	12,626
Number of brick in the work.....	389,894
Timber and lumber in structures, feet board measure.....	2,034,106
Number of ties laid.....	135,000
Number of ties contracted for.....	125,000
Tons of iron laid.....	6,000
Tons of iron purchased and not laid.....	2,000
Pounds of iron in bridges.....	162,700
Number of locomotives in use.....	6
Number of locomotives purchased and shipped.....	5
Number of locomotives being constructed.....	4
Number of cars in use.....	134
Number of cars shipped.....	124

A steam-engine and the proper machinery for large machine, repair, and car shops, have been shipped from the eastern States, and is now over due. A large wharf, with steam-engine and derricks, with suitable freight and passenger depots, has been constructed at Sacramento. Depot buildings have also been constructed at all the towns on the road. The flooring and platforms of the freight depot at Colfax are 600 feet in length and 56 feet wide. The road is well supplied with water-tanks built of redwood, switches, side tracks, and turntables.

There is, in addition to the completed road, a large amount of grading and other work done upon that portion of the line between Colfax and Dutch Flat and points above, a distance of twenty-five miles, which is now being rapidly prepared for the track. A full force is also employed constructing a tunnel 1,600 feet in length at the summit of the Sierras, as also another tunnel 900 feet long, seven miles east of the summit, with three shifts of laborers working eight hours each, night and day. Work has also been commenced on all the tunnels between Dutch Flat and the Truckee river, eight in number. The whole cost of the work done and materials purchased amounts to the sum of \$5,596,476 89.

GOVERNMENT COMPENSATION.

The road had been completed forty-three miles, to Clipper Gap, before any of the compensation granted by the acts of Congress was received by the company. If the bonds authorized by Congress shall be promptly issued upon the reports of the commissioners, the work will be greatly expedited, as the company can make the necessary financial arrangements for employing a large force, without fear of embarrassments caused by delays in the receipt of this portion of its means.

With the large force of laborers employed, and which will be greatly increased next year, with large contracts for the supply of iron, rolling stock, timber, and other railroad material, and engaged as we are in the construction of the most difficult and expensive portion of the whole line between the Missouri river and the Pacific ocean, the company will need all the means it can command to push on the work as vigorously as the public necessities demand.

The rails used being of extra weight, and the high grades requiring powerful locomotives, all these have to be manufactured specially for the company, and have to be paid for upon delivery on board ship, full ten months before they can be placed upon the road. In addition, large disbursements are required to grade the road in advance of the completed line. Thus it follows that the company are compelled to expend generally over \$4,000,000 in advance, before receiving the government bonds, upon the different sections of completed road. It will be seen that any great delay in receiving the means provided by Congress will necessarily cause a serious derangement of our plans and hinder the progress of the work.

* That portion between Clipper Gap and Colfax has been completed since his report.

In conclusion, we would say that it is the intention of this company to carry out the requirements of the acts of Congress with scrupulous fidelity, to construct a permanent first-class railroad and telegraph line, one that will do credit to the nation, for whose benefit and under whose auspices it is made, and that will perform all the services required of it in every emergency.

Having a thoroughly organized force of trained laborers, under the management of most efficient superintendents and foremen, a force which can be increased to any extent required, with all the tools, machinery, and appliances necessary for the rapid prosecution of the work, we expect to complete the road ready for the use of the government years in advance of the time prescribed by the law. All our energies will be devoted to this great enterprise until the iron highway shall span the American continent.

LELAND STANFORD, *Pres't C. P. R. R. Co.*

His Excellency ANDREW JOHNSON,
President of the United States, and
Hon. JAMES HARLAN, *Secretary of the Interior.*

The above is all the information on file in this department in reference to the construction of the Central Pacific railroad eastwardly from Sacramento. It is, however, understood that the company have received from the treasury of the United States their bonds for the first section of thirty-one miles, commencing at that city.

Northern Pacific railroad.

The Northern Pacific Railroad Company file their acceptance of the provisions of the act of Congress approved July 2, 1864 :

DEPARTMENT OF THE INTERIOR,
Washington, D. C., December 30, 1864.

SIR : I have to acknowledge, by direction of the President, the receipt of the paper which you addressed to him embodying a copy of the resolution adopted by the board of directors of the Northern Pacific Railroad Company on the 15th instant, accepting the grant made by the act of Congress, approved July 2, 1864, "to aid in the construction of a railroad and telegraph line from Lake Superior to Puget's sound, on the Pacific coast, by the northern route."

This paper bears an indorsement in his handwriting, as follows:

"This notice served on me to-day, by copy. December 29, 1864.—A. LINCOLN."

Any communication which you may desire to make to the President relating to the subject should be addressed to the Secretary of the Interior, and will be submitted through this department.

I am, sir, very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

JOSIAH PERHAM, Esq.,

Pres't Northern Pacific Railroad Co., No. 22 Merchants' Exchange, Boston, Mass.

The Secretary transmits to the Commissioner of the General Land Office a map showing general route of road as adopted by the company :

DEPARTMENT OF THE INTERIOR,
Washington, D. C., March 9, 1865.

SIR : Herewith I transmit a map, upon which the general line of the Northern Pacific railroad, as adopted by the board of directors of that railroad company, is delineated ; also a copy of the letter of the president of said company, dated the 6th instant, requesting that the granted lands along said line be withdrawn from market.

In view of the provisions of the third and sixth sections of the act of Congress approved July 2, 1864, (Pamphlet Laws, pages 368 and 369.) should you perceive no objection, I think that the odd-numbered sections along the line, for ten miles in width on each side, in Minnesota and Wisconsin, and for twenty miles in width on each side along that part of the line extending through the territories westward to Puget's sound, may be withdrawn as requested, as preliminary to the final survey and location of said railroad.

The even numbered sections along the line will, however, be subject to disposal by the United States, as provided in the sixth section of said act of Congress.

Very respectfully, your obedient servant,

J. P. USHER, *Secretary.*

COMMISSIONER OF THE GENERAL LAND OFFICE.

There is nothing in this department to show that the company has done any work on their line.

WAGON ROADS.

Operations were commenced as early as practicable during the present year on the wagon roads, for which appropriations were made pursuant to act of Congress entitled "An act to provide for the construction of certain wagon roads in the Territories of Idaho, Montana, Dakota and Nebraska," approved March 3, 1865. These roads are:

1. "A road from Niobrara to the mouth of Turtle river, and thence upon the most direct practicable route to Virginia City, in Montana Territory, with a branch from the mouth of Turtle river, or such other point as may be selected, to Omaha." Appropriation, \$50,000.

The superintendent and disbursing agent of this road is James A. Sawyer, esq., who received his appointment and instructions March 14, 1865. On the 4th June he reported that his party left Sioux City on the 1st of that month, and would be at the mouth of the Niobrara by the 8th or 9th of the same month.

On the 20th July he reports from camp on Sheyenne river, at south base of Black Hills, as follows: "Our route thus far I consider a very good one, though a considerable amount of work has been required at the crossings of some of the streams, owing to the channels being cut so far below the surrounding country. Some of my employes who have crossed the plains several times think this the best route for wood, water, and grass they have ever seen. We have had wood, fine running water, and good grass, at every camp on the route."

On the 24th of August he reports: "Since my last report, owing to the inefficiency of the officers in command of our escort and troubles with Indians, we have been delayed considerably in our progress. We having reached this post, by order of General Connor, our escort will remain at this place, and an escort of cavalry will be furnished us, and from reports of the face of the country, wood, water, and grass, we expect to make good time to Virginia City."

On the 14th October, 1865, he reports from camp near Virginia City: "We arrived at this place on the 12th instant, much disappointed that we did not get here 25 or 30 days earlier, but owing to the inefficiency of the escort and trouble with Indians I could not get through sooner."

"We were attacked by Indians eight different times, and had it not been for the kindness of General Connor I could not have got through at all, but I am happy and proud to say that we are now through, and can report a practicable road from the Niobrara to Virginia City. A freight train of 36 wagons, coupled and heavily loaded, came with us, and we made the road so that they came over safe and sound without uncoupling to get over any place."

"All of my plans were frustrated by Indians and the escort. When I left Niobrara, on the 13th of June, I fully expected to return over the road as far as Snake river, on the Niobrara, and thence to Omaha, and finish up that branch of the road, but it is now too late; and if it were not so we have no escort, and it would be impossible to return over the road without a strong force."

"Things have turned so different from what I expected that I would like to see you in person. I would not like to incur the expense without your permission, yet I think it to the interest of the government for me to see and confer with you. It will be impossible for me to finish the Omaha branch this fall. As soon as I can sell out the outfit and get money to pay off the men I will leave for Sioux City, at which place please advise me."

"No opportunity has before occurred for sending reports, &c., for August and September. They will be prepared and forwarded immediately."

This is the last report that has been received from him.

2. "A road from a point on the western boundary of Minnesota, to be determined by the Secretary of the Interior, to a point at or near the mouth of the

Big Sheyenne river," (appropriation, \$10,000;)" "and thence up said river to its main forks; thence up the north fork to a point of intersection with the road from Niobrara." Appropriation, \$20,000.

Wilmot W. Brookings, esq., was appointed superintendent and disbursing agent of this road, and instructions given him, March 13, 1865.

June 8 he reports from Yankton, D. T.: "My party for the construction of the Big Sheyenne road is made up and on the way, but there is a possibility that, owing to Indian troubles, I may be prevented from prosecuting the work on that road this season." He here refers to that portion of the road of which he has charge, extending from a point at or near the mouth of the Big Sheyenne river, and thence up said river, &c.

July 20 he reports from camp near Fort Sully, D. T.: "I regret to have to report that I have been unable to go through the entire distance on the Big Sheyenne wagon road, for the reason that I have been unable to get any military protection, and it was unsafe to go through and connect with the road from Niobrara, with my small party. . . . I went to the forks of the Big Sheyenne river, about one-third of the entire distance, without any trouble. I found an excellent road as far as I went, with abundance of water, wood, and grass, over a gently rolling prairie; and, from the information gained from friendly Indians and mountain trappers, I have no doubt, in fact, am confident, that a good road can be found over the entire distance.

"I have expended about seven thousand dollars of the appropriation, including over one thousand dollars worth of property on hand, such as tents, tools, provisions, &c., making about six thousand dollars actually expended, leaving fourteen thousand dollars of the appropriation unexpended, which is ample to build the road through whenever it may be safe to do so.

"I regret very much that I have been unable to go through with this road, for I am confident that I could have found a shorter, more practicable, and in every respect a better route to Montana than has yet been found, or can be, on any other route."

On the 20th July he also reports: "I shall to-morrow, 21st July, commence work on the wagon road from the mouth of the Big Sheyenne river to the western boundary line of the State of Minnesota."

On the 18th of August and 14th of October he also submitted reports; but as the facts he communicates are mainly embraced in his final report of November 10, given below, it is not deemed necessary to give extracts from those reports:

Mr. Brookings' final report on the Minnesota and Big Sheyenne road:

YANKTOWN, D. T., November 10, 1865.

SIR: I have the honor herewith to transmit my report, also the engineer's report and map of the route, being a full statement of the selection and construction of the wagon road, under my charge, from the western boundary of the State of Minnesota to the mouth of the Big Sheyenne river. By the act of Congress under which this road was constructed, the initial point on the western boundary of the State of Minnesota was to be designated by the Secretary of the Interior. And in order to ascertain the most direct and feasible route, I was instructed on the 13th of March, 1865, by Mr. Usher, to "make a preliminary survey and examination of the country, &c.," and report the most practicable route. Under those instructions the route was surveyed and examined, and on my report of the same, the starting point on the western boundary line of the State of Minnesota was fixed near the 44th parallel of north latitude by your letter of August 24, 1865. The initial point was finally fixed by myself at the 88th mile-post, a short distance north of the 44th parallel of latitude, a point nearly west from Mankato and other leading towns in Minnesota.

The object constantly kept in view has been to build and locate a road most useful to the emigrant and to the government of the United States, with the least possible expense.

The manner of building the road has been quite fully explained by my engineer, so that

it will be quite unnecessary for me to take it up in detail. The road has been thoroughly marked with stakes and monuments as often as every half mile, and when necessary, nearer; but since constructed, it has been better marked by two heavy freight trains passing over it, one from Minnesota and the other military, so that the track could not be obliterated were no other trains to pass over it for two or three years. The country from the State line of Minnesota to the Big Sioux river is quite level, and the soil very rich. The Big Sioux river at this point is a clear running stream, with rocky bottom. The bottom-lands consist of a rich alluvium, bearing a very heavy grass of excellent quality, mostly blue-joint. The timber at this place is quite plenty, consisting of cottonwood, ash, hackberry, and oak; from here to Lake Harlan the country is more rolling, the soil equally good and capable of a high state of cultivation; abundance of grass and water the entire distance.

Lake Harlan, called by the Indians Big Buffalo Woods lake, is a beautiful sheet of water about a mile and a half long and a half a mile wide, shores gravelly, and water very good, and about a hundred acres of timber on one side of the lake, mostly oak. The land slopes gently towards the lake on every side, and the soil is very good. All the country, from the Minnesota State line to this point, will be settled in the course of two or three years, the soil being of the best quality, and plenty of water, and considerable timber. From Lake Harlan to the Dakota river the country is very similar, being slightly rolling—scarcely anything that could be called a hill—soil good, plenty of grass and water, and an excellent natural road. About two miles west of the west fork of the Vermillion river, and two miles south of the road is a small salt lake, probably not salt enough for any practical purpose. This country between Lake Harlan and Dakota river is a great buffalo range; thousands of these animals were seen by our party.

The Dakota river, where the road crosses, is a running stream, soft bottom, water at this season eighteen inches deep and fifty feet wide; bottom-lands on this river average about two miles wide; have been overflowed; furnish a fine natural meadow, that would cut about three tons of hay to the acre; considerable timber for six miles down the river, but little above. An excellent ford of stone was built across this stream. The stream can always be forded except some seasons for a week or two in spring, during the melting of the snows.

From Dakota river west the soil is not so good, but becomes more sandy, with many boulders, so that at least one half of the monuments put up to mark the road from here to the Missouri river are built of round boulders; although there is abundance of grass and water and plenty of timber at several points along the route.

From Sandy Hill creek to Wessington springs, or rather to Coteau de Missouri, the country is nearly level, soil only middling, still affords abundance of grass for emigrant trains. At the Coteau de Missouri is the first hill that presented any serious obstacle, but it was graded down enough to make a good road so as to make the grade but light, and the ascent and descent easy. There is much very good soil around these bluffs, plenty of wood and water.

From the last named point to Crow creek on the Missouri river the country changes; the prairies are higher and more rolling, and soil only average, but abundance of grass of the very best kind and nutritious, and plenty of water and wood on several of the creeks. On this portion of the road good crossings were made on all the creeks, and all the banks graded down. For all the particulars in reference to the construction of the road I beg to refer you to the able report of the engineer.

From the Minnesota line to Crow creek on the Missouri river the grades are all very light and the road very direct, being for miles sometimes on an air-line. It is at the present time the best road in Dakota, and the feasibility of the road and the location is best tested by the amount of travel that has already passed and constantly passing over it, several trains having already passed over it. This road will be the great thoroughfare from Minnesota to the Missouri river and Montana and Idaho; besides, it offers a very practicable route for a railroad.

From Crow creek to Camp Johnson, on the Missouri river, opposite Fort La Frombois, a mile north of old Fort Pierre and ten miles by river above Fort Sully, a distance of sixty-seven miles, the road follows a military and fur-traders' road, with the exceptions of a few places where that road is straightened, and requires no work or construction except what has been already accomplished. The road when surveyed was marked whenever it left the military road, and whenever any mark was required it was done at the time of survey, as I was certain that this portion of the road would be the one travelled, even should it not be accepted by the department, as the country further north was destitute of both water and timber. The road is packed down almost as solid as stone, for about three thousand cavalry have passed over this portion for three years on the different Indian expeditions, and I am of the opinion that to expend the remainder of the ten thousand dollars on this portion of the road would be a useless expenditure. There is plenty of water and grass on this portion of the route, and sufficient timber for emigrant purposes on the different creeks, and on the Missouri river; where this road is to cross that stream, there is plenty of timber

and a good crossing for steamers or flatboats. The entire country from Crow creek to Camp Johnson abounds in iron ore (carbonate or clay iron-stone) similar to the English iron ore; in some places this ore is fifty feet thick, and the geological formation of this portion of Dakota is the same as a portion of England, being the cretaceous and jurassic periods of the reptilian age.

The road from Camp Johnson to the mouth of the Big Shyenne river was surveyed and marked, nothing more being done for the reason that there is no call for a road to that point for the present, and if there was it would require no more work than has already been done, to wit, surveying and marking.

I have surveyed, marked, and constructed a good road from the western boundary line of Minnesota to the Missouri river, at Camp Johnson, where the Big Shyenne road commences—one that will, in my judgment, be the great thoroughfare from Minnesota to Montana, Idaho, and the Pacific; and in accordance with instructions I have not expended more money than was actually necessary, having expended only about two-thirds of the appropriation, thus saving one third to the government.

I take great pleasure of making favorable mention of all my assistants and employes, from all of whom I have received the most cheerful support; and, as all were citizens of Dakota, consequently all were anxious to have the best road possible.

I have the honor to be, very respectfully, your obedient servant,

WILMOT W. BROOKINGS.

Sup't and Disb'g Ag't of the Minnesota and Big Shyenne Wagon Road.

HON. JAMES HARLAN, *Secretary of the Interior.*

Since writing the foregoing, I have received Mr. Brookings' complete report of the Big Shyenne road, as follows:

YANKTON, D. T., November 27, 1865.

SIR: I have the honor herewith to transmit my report of the Big Shyenne wagon road; also a map of that portion of route surveyed and the proposed continuation of the route to connect with the route from Niobrara to Virginia City.

I received my instructions in relation to the construction of the Big Shyenne wagon road about the 5th of May, the instructions bearing date Washington, D. C., April 20, 1865. I immediately set about organizing a party for carrying out the same. General A. Sully, commander of this military district, informed me, in answer to a letter inquiring if he could furnish me any protection against hostile Indians, that it was his intention to go through to Powder river with his whole force, and that he would travel the same route that I proposed; consequently I would have sufficient protection.

My party was organized in accordance with this understanding with General Sully, and on the 12th day of June I left Yankton with my party for Fort Sully, a distance of two hundred and thirty miles, where we arrived on the 27th of the same month. On my arrival at Fort Sully I was informed by the commanding general that his orders had been changed, and that he was positively ordered not to cross the Missouri river. I then requested him to furnish my party with a military escort; in answer I received the attached letter, which fully explains the reason he could not furnish me protection.

On receipt of the foregoing letter I determined to explore a portion of the route. After reading General Sully's letter to my men in order not to conceal any danger there might be from hostile Indians, I stated that I wished to explore the route to the forks of the Shyenne, but that I would not ask any one to accompany me that would not willingly volunteer to do so. Sixteen men and one friendly Indian volunteered to go along, several others left, and the remainder I left behind in charge of the greater part of my supplies and teams.

After waiting until the 10th of July for the military expedition to move up the river, in order that the hostile Indians might follow off after them, I crossed the Missouri river at Fort Sully on the morning of the 10th of July, with a party of sixteen men and one friendly Indian, besides myself, three two-horse wagons, and six saddle horses. Fort Sully is about ten miles below old Fort Pierre. The same day we crossed the Missouri river we travelled over rather an uneven country ten miles to the little Missouri river. The west bank of the Missouri at Fort Sully is some sixty feet high, and consists wholly of carbonate or clay iron-stone, very similar to the English iron ore, a specimen of the ore having been taken to New York by Professor Gregg and analyzed by him; he states this crops out in this vicinity for a hundred miles on the Missouri river, and is fifty feet thick in many places. From the little Missouri river I travelled little north of west about ten miles, on the divide between Shaw's creek and Willow creek, until I struck an old military road from Fort Pierre to Fort Laramie, when we travelled nearly west to the Big Shyenne river, sometimes running a few degrees south of west, striking the Shyenne about twelve miles below the forks. On our return trip we travelled nearly east, occasionally two or three

degrees north of east, striking the Missouri river about one mile above Fort Pierre, opposite Camp Johnson.

The country from Camp Johnson to the crossing over the Big Sheyenne, as indicated by the map accompanying this report, is quite uniform, being a gently rolling prairie, interspersed with numerous little streams of good water running into the little Missouri and Big Sheyenne rivers; all containing excellent water and plenty of timber for an emigrant road, there being no place but wood and water is found every ten miles, usually from four to five. The creeks are all hard bottom, and can be always forded, except occasionally, during the melting of the snows in spring, for four or five days, as often as once in three or four years. The banks on the creeks are not abrupt, but the grades in and out of the creeks are very light, and a two-horse team would draw three thousand pounds anywhere over this road, and the entire distance requires but little work except marking. The soil is only average, except on the bottom lands of the creeks, which is good and bears abundance of tall grass for hay. The high rolling prairie bears nothing but buffalo grass or gramma, but abundance of that, which is very nutritious and retains much of its nutriment through the winter so that freighters in this country feed their stock on nothing else in midwinter, and still their stock does well. There never will be a lack of grass and water on this route as far as explored, the two articles so necessary to the emigrant. The distance, as measured by the odometer, is eighty-six miles.

The reasons for my making Camp Johnson the initial point for this road on the Missouri river are, first, that the country along the banks of the Big Sheyenne near the river is very much cut up with deep cañons, so as to make a route near the river impracticable; second, the Big Sheyenne river from its forks runs nearly northeast, so that by starting from its mouth would be off a direct east and west line, which should be the object of all great emigrant routes.

From the accompanying map you will observe the proposed continuation of this road to connect with the road from Niobrara to Virginia City, the connexion to be at Tongue river, as indicated by the red dotted lines, and a branch to Fort Conner, as indicated by the red line. From information obtained from intelligent mountaineers, trappers, half-breeds, and Indians, I have no doubt of a good road, with but little cost of construction, to the little Missouri, with abundance of wood, grass, and water. All speak of this portion of the route as a beautiful country, the finest they ever saw, with clear, running streams, &c. From the little Missouri river to Powder river I have been unable to get as much information, having seen but one white man that ever travelled on the proposed route. He passed over it once, "recollected that it was a good road, water every fifteen miles, plenty of grass at the watering places, and but little on the high prairies." The Indians call the distance "three small camps," an Indian's camp distance being from ten to fifteen miles; and they pronounce it a good road, with water at springs or lakes twice between the little Missouri and Powder river. From Powder river to Tongue river, a distance of about thirty-five miles, from all the information I can obtain the country offers no serious obstacles to a wagon road, from which point to Virginia City a good wagon road was travelled over by one Bowman in 1864.

The distance on this route from the Missouri river to Virginia City, Montana Territory, will not be over six hundred miles, and may be fifty miles less, making a saving of four hundred miles over any other route. The proposed branch to Fort Conner from the Little Missouri is very desirable, as it would save probably one hundred thousand dollars annually to the government in supplying that post, as it would save four or five hundred miles land transportation over any other route by which that post can be supplied. I beg leave here to call the attention of the department to the importance of establishing a military post about half way between Fort Sully and Fort Conner, say in the vicinity of Bear Butte, north of the Black hills. It is a well-established fact that the Black hills and the country adjacent thereto are favorable resorts for the Indians; so much so that the Black hills of Dakota are almost wholly unexplored; and such a post would afford much protection to emigrants over the Big Sheyenne route; besides this section of country is said to abound in gold, silver, copper, lead, iron, and coal, and is known to have abundance of excellent pine, which is very much needed in the settlements of southern Dakota, north-western Iowa and Nebraska; and this country would be immediately explored if it were safe to do so. The pine timber can readily be rafted down the Big Sheyenne and its branches.

In my opinion this route is to be the great emigrant route to Montana and Idaho; besides it is now believed that more or less gold will be found in many places along the route.

On my return to the Missouri river, I immediately transferred my entire party to the Minnesota and Big Sheyenne road, in order at once to stop expense on the Big Sheyenne road.

Sufficient of the appropriation remains to open the road through to the destined point,

unless some obstacle should arise that I am unaware of now. I shall be able to organize a party more economically another year, with my past experience, than I have been able to do the past season, so that I do not ask for any more money, only military protection.

I am of the opinion now that I should have two hundred men, and two pieces of artillery as a military escort next year; that many men could defend themselves against all the Indians that could congregate against them; and it would be one of the most profitable Indian expeditions that could be organized, as it would be at present through the hostile Indian country, and I believe with General Sully that he would have accomplished very much more the past season if he had been allowed to have gone across to Powder river. Most of the Indians have been treated with through which this road passes during the last month; but I have no confidence in their treaties, which they have signed under protest against the whites passing through their country. I can, however, tell better towards spring about the number of soldiers that will be needed. There are plenty of soldiers at the different posts in Dakota to furnish two hundred men.

All property belonging to the Big Shyenne road is safely stored at Yankton, Dakota Territory, for such time as it may be practicable to continue the work on said road again. I am of the opinion that all money expended on this road will, in a few years, repay the government directly or indirectly a hundred fold.

I also take this opportunity of stating my appreciation of the excellent employes, all of whom have sustained me in carrying out your instructions.

I am, very respectfully, your obedient servant,

WILMOT W. BROOKINGS,

Superintendent and Disbursing Agent, Big Shyenne Wagon Road.

J. H. SIMPSON, *Lieutenant Colonel of Engineers.*

"Road from a point at or near the mouth of the Big Sioux river, via Yankton, Dakota Territory, to a point at or near the mouth of the Big Shyenne river, and bridge across the Big Sioux river. Appropriation \$10,000, to be applied to the construction of the bridge over the Big Sioux river, or so much of this sum as may be necessary, and any balance remaining to be applied to continuing and improving the road from Sioux city, Iowa, to the Big Shyenne river. Provided that any unexpended money now in the treasury appropriated for the construction of a road from Sioux city to Fort Randall, Dakota Territory, shall be transferred from the War Department to the Department of the Interior."

Colonel Gideon C. Moody was appointed superintendent and disbursing agent for the construction of the above-mentioned road and bridge March 14, 1865, and proper instructions were forwarded to him April 24.

May 31 he reports: "I have selected the location for the Big Sioux river bridge, and the plan for said bridge is being perfected, and I am engaged in organizing the working parties."

July 1 he reports, "That the material for the Big Sioux bridge is being prepared and transported to the site as speedily as is practicable, taking into consideration the scarcity of labor and the difficulty of procuring suitable timber."

October 12 he reports: "I have the honor to transmit herewith copies of the plan of the Big Sioux bridge, including piers, foundation curbs, &c., as adopted by myself under instructions from the honorable Secretary of the Interior. I will furnish upon drawing paper other copies for file, as soon as I can do so. This plan was adopted after a careful consideration of all the facts, having in view the extreme scarcity in this country of suitable material for building a substantial bridge across such a stream. The difference between high and low water in the Sioux river is so great we were compelled to raise the bridge so as to carry it on to the highest banks, and therefore you will observe makes it altogether six hundred and twenty-six feet in length. The length of span was determined by the material we had to work with. I well knew the difficulties attending the construction of a bridge like this where timber is so scarce and so generally unsuitable, but the difficulty and expense have been even greater than I anticipated. The oak timber within our reach

is of a short and scrubby character, and often found to have been injured by fires years ago, so that, while it appears well before cutting, we found upon working it was defective, and had to be abandoned after in some instances much labor had been expended upon it. I have endeavored, under the instructions of your department, to make, as far as the appropriation would go, a substantial structure, and I think I have exercised as much economy as was possible. The material I have obtained and the labor that has been done is of the very best quality. If I had felt at liberty to have used the timber that is most plentiful in this region, (cottonwood,) it would of course have been very much cheaper, but a bridge built of it, as you are well aware, would in a short time have been worthless, and even dangerous to have used; and I could have spanned the stream with a much shorter bridge, but it would have been swept away by the first floods.

"You will see by my accounts that the appropriation is very nearly exhausted, and that in consequence I have been compelled to discharge most of the workmen. I have yet in my hands \$911 77 of the appropriation for the bridge, which will be very nearly exhausted or quite when I pay the liabilities already incurred. A small part I desire to retain to pay the party engaged to take care of and see that none of the material is taken away. This I deemed necessary to prevent marauders from abstracting portions of it until I received your instructions upon the subject. Work enough has been laid out, and this man is also at work as a mechanic.

"Regarding this bridge as very important to this Territory, I had intended asking that a portion of the funds appropriated for bridging the Vermillion and Dakota rivers and other streams, and for surveying a road from Sioux city to Fort Randall, be used to finish this bridge, and upon consultation with honorable Mr. Hubbard, member of Congress, and Governor Edmunds, they each furnished me letters (which I enclose) expressing their wishes upon the subject; but after closing up my accounts for September, and after a careful estimate of what will be necessary to complete it, I find it will take at least ten thousand dollars more, which would not leave out of the other appropriations sufficient to bridge these other streams, and therefore think we should rely upon Congress making an additional appropriation to complete this bridge, if it should meet with the approval of the honorable Secretary of the Interior. Judge Hubbard and Governor Edmunds are both now in the upper country, and not within reach of consultation. I feel sure they would agree with me. This estimate I will forward as soon as I can see Mr. Smith, the engineer, who is now absent on duty.

"The surveying party will start to-morrow to survey and locate the road from Sioux city to Fort Randall. Regarding the bridging of the Vermillion and Dakota rivers as the most important work under this appropriation, and believing that substantial bridges cannot be built across these streams without taking a large portion of it, I shall make the survey and location as inexpensive as possible, and shall, after reporting the survey and location to your department, await your instructions before putting on to the road any labor, only that necessary to render it entirely practicable. This road will follow most of the way what is already a well-travelled route.

"As soon as the survey and location is made and plans are prepared, if I am instructed to do so, I can proceed with the bridging of these two streams; and would respectfully suggest the propriety of letting them by contract, after the requisite advertising for proposals, and with a limit to the price based upon the estimated cost. I think I can procure them built in that way cheaper than by employing workmen and procuring the materials. If this course is adopted, I think I shall be ready to advertise for proposals as soon as instructions can reach me from Washington."

1000 REPORT OF THE SECRETARY OF THE INTERIOR.

In this connexion, I respectfully inform the honorable Secretary that in accordance with his instructions, I have directed my assistant, Mr. John R. Gilliss, to repair to Sioux City for the purpose of inspecting and reporting upon the Sioux River bridge, and the road from Sioux City to Fort Randall; so, as having all the facts to be enabled to give the proper instructions to insure the erection of substantial bridges over the Sioux, Vermillion, and Dakota rivers.

In accordance with Mr. Moody's suggestion, I have included in my estimate, to meet deficiencies, an appropriation of \$10,000 to complete the Big Sioux River bridge.

Since writing the foregoing, I have received from Mr. Moody the following:

YANKTON, DAKOTA TERRITORY,
November 10, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 17th ultimo, received while I was absent with the surveying party on the Sioux City and Fort Randall road. On the 12th ultimo I addressed you, forwarding a report and copies of the plan of the Big Sioux bridge, including piers, foundation curbs, &c. I did not forward the plan for approval, as suggested in my letter of May 31, because upon a re-examination of my instructions from the department of date April 24, I found that despatch was enjoined, and to have done so would occasioned delay, and that the plan, &c., was left to my discretion. Furthermore, the experience acquired in working the timber found within our reach dictated a modification of the first plan determined upon, and I was not able to procure from the engineer copies of the perfected plan until a short time previous to my letter. I had asked for information and instructions, and, until you assumed charge of the office of wagon roads, I was unable to obtain any response. I was compelled to follow the instructions already received as closely as I could, and to do what I thought was for the best interests of the government and the public interested in the road.

In response to yours of the 17th ultimo, I have the honor to state that we have procured, and there is now at the bridge site, six thousand and ten feet (lineal measure) of square timber 12 by 12 inch, five thousand four hundred and sixteen feet of oak, and five hundred and ninety-four feet of red elm, sixteen thousand eight hundred and ninety-two feet of sawed oak lumber, and thirteen thousand four hundred and seventy-six feet of cottonwood plank. That there has been three of the foundation curbs framed and ready to place in position; that nearly all, say 5,600 feet of the timber has been counterbowed; that much of the oak lumber has been framed and made ready for use, and that a flatboat 16 by 42 feet has been built ready for use in launching curbs, loading the stone, putting up piers, &c.

The survey of the road from Sioux City to Fort Randall is in progress, and has now reached the Dakota river, and will be proceeded with as fast as possible.

Very respectfully, your obedient servant,

G. C. MOODY,
Superintendent and Disbursing Agent, &c.

Lieutenant Colonel J. H. SIMPSON,
Engineer Office, Department of the Interior, Washington, D. C.

His estimate of the cost of completing the Big Sioux river bridge, yet required, is as follows:

4 427 feet square timber, at 52 cents.....	\$2,302 04
33,734 feet, board measure, sawed oak, at \$43 per M.....	1,450 56
60,472 feet cottonwood plank, at \$25 per M.....	1,511 80
10,683 pounds of bolts, nuts, and washers, at 15 cents.....	1,602 45
1,200 pounds of spikes, at 9 cents.....	108 00
130 cords of stone to fill curbs, at \$6.....	780 00
Tin to cover joints, say.....	100 00
	<hr/> 7,854 85.
Entire cost of material, say \$13,425 60; one-half of which, cost of construction, say.....	\$6,712 80
There has been done of labor on bridge.....	1,594 95
	<hr/>
Labor yet to be performed.....	5,117 85
	<hr/>
Total cost of completing bridge.....	12,973 70

Road from Virginia City, in Montana, upon the most practicable route to Lewiston, in Idaho; appropriation \$50,000.

Mr. John Connell was appointed superintendent and disbursing agent for this road, March 24, 1865, but on account of the hostile attitude of the Indians in that region, and with the concurrence of the Secretary, he has not entered upon the discharge of his duties.

WASHINGTON AQUEDUCT.

The report of Mr. Theodore B. Samo, the engineer in charge, for the year ending September 30, 1865, including his estimate of the cost for completing this important work, is herewith respectfully submitted.

On the 31st of August last, I inspected, by direction of the Hon Secretary of the Interior, this work throughout its entire length, Mr. Samo accompanying me to point out and explain its different portions and the arrangements made for the management of the water in its passage to the city.

This great work, although in a condition to meet the present wants of Georgetown and Washington, is far from being in that complete and permanent state which is necessary to insure "an unfailing and abundant supply of good and wholesome water," as the law requires.

To insure an abundant supply during the hot months of the summer and fall, when the Potomac is at a low stage and the wants of the community are greatest, it is absolutely requisite that the solid masonry dam, already commenced, across the Maryland channel of the Potomac river at the head of the conduit, should be completed with the least possible delay, so as to create a head of water sufficient to afford the necessary quantity. The temporary dams which have been made from time to time for this purpose, have in every instance been carried away, and nothing will serve the purpose but the solid dam referred to, which is required not only as a matter of necessity but also of economy.

2d. To insure a supply of the pure water of the Potomac, unadulterated by the shallow water of Powder Mill branch and the surface drainage of the surrounding country, and to enable the receiving reservoir to be used entirely for storage purposes in case of accident happening to the conduit above, or in time of freshets when the Potomac is unfit for use, the connecting conduit around the receiving reservoir should, as proposed in previous reports, and by Mr. Samo, be completed without delay.

3d. The distributing reservoir affording, under the most favorable circumstances, only a depth of eleven feet, and practically on account of the inability of the conduit above the reservoir to sustain the pressure of any considerable head above the crown of the arch, only a maximum depth of about seven feet, it should, as suggested in previous reports, and in Mr. Samo's, be excavated to an additional depth of thirteen feet, making total depth twenty-four feet. This excavation is of essential importance, not only because it will double the capacity of the present reservoir, but the water being increased from the shallow depth of seven to twenty feet, it will give time for the deposit of many of its impurities and the decomposition of others, and will not be liable to that degree of overheating in the sun's rays, which encourages the growth of confervæ and animalcules, and the putrescent decomposition of organic matter.

4th. To prevent the wash of the interior slope or water faces of the distributing reservoir, I consider the substitution of a slope rubble wall, of one foot in thickness, laid on a facing six inches thick, of small broken stone, and extending from the bottom of the reservoir to and over the top of the slopes as absolutely necessary; and therefore recommend the construction of this improvement,

agreeably to the report of Mr. Samo. The water from this reservoir during the past year has been remarkably pure; but as the washings from its unprotected interior slope are increasing yearly, thus making the reservoir more shallow, and the water more turbid, it is essential that the proposed completion of the slope-wall should be effected without delay.

5th. I also approve of the other recommendations of Mr. Samo, and his estimates, which have been examined in this office.

Report of Mr. Samo.

DEPARTMENT OF THE INTERIOR, OFFICE OF THE WASHINGTON AQUEDUCT,
Washington, D. C., October 1, 1865.

SIR: In compliance with your request of the 23d instant, I have the honor to submit the following report, in relation to the Washington aqueduct, for the year ending September 30, 1865.

At the date of the last annual report of the chief engineer the works authorized by Congress, including the solid masonry dam across the Maryland channel of the Potomac river, and the connecting conduit around the receiving reservoir, were progressing with a rapidity that would have insured their completion during the present year.

On the 1st day of January the work on the dam was suspended for the winter; that on the connecting conduit was continued day and night until the 1st day of April, when the contractors were notified to suspend all work embraced in their contract, in consequence of no appropriation having been made at the second session of the thirty-eighth Congress for the continuation of work upon the Washington aqueduct, and a final estimate was paid them, under the clause in their contract which provides that, in case of a suspension, they shall be paid in full for all work done and materials furnished.

The works generally are in a good condition, considering that all parts of the aqueduct, whether finished or unfinished, have necessarily been in constant use, in order to furnish the large supply of water required during the past season, and which has averaged from fifteen to twenty millions of gallons daily.

Very few breaks have occurred; the most important one happened on the morning of the 12th of May, when water was discovered by the watchman rushing through the embankment of the high service reservoir at Georgetown. At that time the water in this reservoir was about fifteen feet deep, and what might have been a serious accident resulted in very little damage, owing to the promptitude and good management of Mr. Robert S. King, the efficient foreman of the pipe line. He soon brought the water under his control, and rapidly emptied the reservoir. In a few days the break was repaired, and the water again introduced. The cause of this break was owing to the unfinished condition of the reservoir.

The Worthington water-engine at bridge six, which supplies this reservoir, has been in constant operation, except a short time in June, when it was stopped and thoroughly repaired; a new set of rubber buffers and wire springs were put in place of the old ones. It is now in good order, is taxed to its utmost capacity day and night, and works well.

Several leaks have occurred in the pipe line; the most important one was at the intersection of Pennsylvania avenue and Eleventh street. At this point the main is eleven feet below the surface, and the pipe has leaked for several years, the water that escaped being led off through a four inch drain pipe three feet below the surface. On the morning of the 8th of June it broke out with renewed force and in such quantities as to force its way upward through the pavement into the avenue. Preparations were immediately made to repair it. The water was shut off from the main, and with the assistance of the steam-fire engine, "M. C. Meigs," the damage was easily repaired.

The repairs made since the 1st of April have necessarily been limited to such work as was absolutely necessary to continue the supply of water, and to prevent some of the most important mechanical structures from suffering deterioration. The tubular bridge over College pond has been thoroughly painted, and the floor of the tubular bridge over Rock creek has been renewed with three inch oak plank, laid water-tight, and provided with drains and scuppers for carrying off the rain. This structure now only needs painting to render it in appearance what it is in reality, one of the grandest and strongest bridges in the world.

At the distributing reservoir the gate-houses are all in an unfinished condition. At the Great Falls the large cut stone gate-house also remains unfinished; all the protection it has had for several years is a roof of rough boards; in its present condition it is suffering from exposure, the floor has become decayed, and will soon have to be renewed. All of these structures have been designed to endure for many years, and when completed will be well adapted for regulating the flow of the water.

Bridges number one and two are yet unfinished, and require a stone coping. Bridge number three is also unfinished; this is an elliptical arch, of seventy-five feet span; the roadway requires to be properly laid and supplied with drain-pipes, and on the sides a stone parapet and coping should be built to render the roadway safe to the travelling public. Bridge number four, "Union Arch," is also unfinished; this is a circular arch of one hundred and ten degrees, with a span of two hundred and twenty feet, being, I believe, the largest stone arch in the world; it requires the roadway to be properly laid, and supplied with drain-pipes, and the sides protected with stone-parapets and coping.

In May, after the spring freshets had subsided, an examination showed that no damage had been done to the unfinished cut-stone dam, but a considerable portion of the temporary crib dam had been washed away. It was repaired in July, and the supply of water was abundant until the end of August, when, owing to the low stage of water in the river, and to the fact that nearly all the water escaped through the interstices of the temporary dam, the supply failed, and extra repairs had to be made. The channel in the river was cleaned out by cutting the trees and bushes, and blowing up some of the rocks that obstructed the flow of water, and temporary dams were built among the numerous small islands, thus diverting the water towards the head of the conduit. Since the completion of these repairs the supply has been abundant.

This temporary dam, upon which depends the daily supply of water to the cities of Washington and Georgetown, has been washed away each spring since it was first constructed, and the same result is likely to ensue next spring. It follows, therefore, that the permanent dam across the Maryland channel of the Potomac is the most important work in an unfinished condition upon the Washington aqueduct.

The work next in importance is the distributing reservoir. No work has been done on this since June, 1864. During the past season the water furnished by the aqueduct has been very clear and pure, owing to the fact that this reservoir has been used in its incomplete condition for storage purposes, the water from the receiving reservoir being detained in it until sufficiently clear for distribution.

The Potomac water is generally clear and pure when it enters the receiving reservoir, but by the time it has passed through that stream it is adulterated with the waters of Powder Mill branch, and the surface drainage of the surrounding country.

The receiving reservoir is a basin that was formed by building a dam across Powder Mill branch, and has an area of fifty three acres, with an unprotected shore line of nearly three miles, and a width varying from one hundred to five hundred feet. There are several acres where the water is not more than one foot in depth, in which the hot sun breeds vegetable and animal life. For several years this reservoir supplied Washington and Georgetown with all the water that was furnished by the aqueduct, until the completion of the conduit to the Great Falls, when the Potomac water was introduced. It has fully answered the purpose for which it was at first constructed, and with the completion of the connecting conduit it can be used entirely for storage purposes to furnish the necessary supply, in case of an accident happening to the conduit above, or in time of freshets, when the water from the Potomac is unfit for use.

The following in relation to the distributing reservoir is extracted from the supplemental report of Silas Seymour, esq., late chief engineer of the Washington aqueduct, dated February 22, 1864:

"The original plan contemplated that the slopes should be covered with broken stone or rip-rap, eighteen inches thick only, from a point one foot above the surface at the flow line, to a point seven feet below the surface, making a vertical height of eight feet."

The changes from the original plan contemplate: First, "the substitution of slope-wall for rip-rap facing on the interior slopes, and extending the same from the bottom of the reservoir to and over the top of the slopes. Second, in the construction of the dividing bank to the full height of the exterior banks, and the substitution therein of a central gate-house for the culvert as heretofore contemplated. Third, in the excavation of the whole or a portion of the bottom of the reservoir to an additional depth of thirteen feet."

The reasons for these changes are fully given in the report above referred to, and are too lengthy for insertion here. The first and second changes have been adopted and partially carried out. If the third change is adopted the reservoir will have double the storage capacity, and the water will be purer and clearer on account of the increased depth. As at present constructed the reservoir allows all these changes to be made without detriment to any work previously done, the pipes leading from it being lower than the contemplated bottom.

The connecting conduit around the receiving reservoir was begun in July, 1864, and the work continued day and night till the 1st of April, 1865, the date of suspension, when a large amount of the earth and rock excavation, and a considerable portion of the stone conduit were completed. The tunnel headings were driven six hundred and twenty feet, leaving only one hundred and twenty-five feet yet to do.

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The roadway over the conduit between the Great Falls and the distributing reservoir requires an increase of embankment throughout in order to place more weight on the crown of the conduit. At present, if the water is raised much above the springing line of the conduit, there are several places, where, owing to the light embankment, the masonry opens longitudinally at top and bottom.

The following estimate of the cost of completing the Washington aqueduct has been carefully prepared from actual measurements, and, I believe, fully covers the entire work:

Estimate of the cost of completing the cut stone dam across the Maryland channel of the Potomac river.

2,877 cubic yards of excavation, at \$2 50	\$7,192 00
1,110 cubic yards of back filling, at \$3 50	3,885 00
545 cubic yards of concrete, at \$8	4,360 00
1,041 cubic yards of foundation masonry, at \$14	14,574 00
815 cubic yards of superstructure masonry, at \$14	11,410 00
367 cubic yards of coping, at \$20	7,340 00
7,776 pounds of wrought iron bolts and clamps, at 15 cents.....	1,166 00
Total	49,927 00

FREDER MASONRY.

38 cubic yards of coping for head of conduit, at \$20	\$760 00
8 cubic yards of coping for pier, at \$20	160 00
42 cubic yards of coping for dam, at \$20	840 00
Total	1,760 00

GATE-HOUSE AT GREAT FALLS.

40,000 bricks, at \$27	\$1,080 00
70 cubic yards of masonry, at \$20	1,400 00
600 square feet of rubbed surfaces, at \$1 75	1,050 00
15 squares of slating.....	300 00
1 lantern	150 00
Total	3,980 00

BRIDGES NOS. 1, 2, 3, AND 4.

714 cubic yards of cut stone masonry for parapets and copings, at \$30	\$21,420 00
500 cubic yards of broken stone, at \$3	1,500 00
1,300 feet of drain pipe, at \$1	1,300 00
Total	24,220 00

CONNECTING CONDUIT.

21,422 cubic yards of earth excavation, at 35 cents.....	\$7,497 00
2,070 cubic yards of rock excavation, at \$3 50.....	7,245 00
1,500 cubic yards of tunnel excavation, at \$10	15,000 00
3,510 cubic yards of conduit masonry, at \$10	35,100 00
100 cubic yards of cut stone masonry, at \$20	2,000 00
12,869 cubic yards of embankment, at 42 cents.....	5,405 00
Total	72,247 00
Deduct 540 cubic yards of stone on hand, at \$2 50.....	1,350 00
Balance	70,897 00

DISTRIBUTING RESERVOIR, INCLUDING BOTH DIVISIONS.

550,195 cubic yards of earth excavation, at 39 cents	\$214,576 00
18,971 cubic yards of slope wall, at \$3.....	56,913 00
8,022 cubic yards lining, at \$3	24,066 00
2,500 cubic yards of embankment, at 18 cents.....	450 00
Total.....	296,005 00
Deduct bricks on hand.....	\$1,600 00
Deduct stone on hand.....	6,494 00
	8,094 00
Balance.....	287,911 00

CENTRAL GATE-HOUSE.

2,800 cubic yards of earth excavation, at 39 cents.....	\$1,092 00
241 cubic yards of concrete, at \$5 50.....	1,325 00
216 cubic yards of rubble masonry, at \$7	1,512 00
340 cubic yards of masonry, at \$20	6,800 00
37 cubic yards of coping, at \$30	1,110 00
200,000 bricks, at \$27	5,400 00
Gates.....	3,000 00
Total.....	20,239 00

EFFLUENT GATE-HOUSE.

74,300 bricks, at \$27	\$2,006 00
252 cubic yards of masonry, at \$20	5,040 00
483 square feet of rubbed surfaces, at \$1 75.....	845 00
13 $\frac{2}{10}$ squares of slate, at \$20	266 00
Gates and screws.....	2,000 00
Doors.....	400 00
Total.....	10,557 00

INFLUENT GATE-HOUSE.

67,600 bricks, at \$27	\$1,825 00
100 cubic yards of masonry, at \$20	2,000 00
414 square feet of rubbed surfaces, at \$1 75.....	724 00
1 door.....	100 00
1 gate.....	1,500 00
9 squares of slate, at \$20	180 00
Total.....	6,329 00

AUXILIARY GATE-HOUSE

17,500 bricks, at \$27	\$472 00
46 cubic yards of masonry, at \$20	920 00
336 square feet of rubbed masonry, at \$1 75.....	588 00
3 $\frac{2}{10}$ squares of slate, at \$20	66 00
1 door.....	100 00
Total.....	2,146 00

STAIR WELL-HOUSE.

17,400 bricks, at \$27	\$470 00
18 cubic yards of masonry, at \$20	360 00
176 square feet of rubbed masonry, at \$1 75.....	308 00
1 $\frac{2}{10}$ squares of slate, at \$20	30 00
1 door.....	50 00
Total.....	1,218 00

150 feet of 48 inch iron pipe to be laid in pipe vault..... \$7,500 00

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HIGH SERVICE RESERVOIR.

200,000 bricks, at \$27.....	5,400 00
4,500 square yards of plastering, at 40 cents	1,800 00
Centering, &c.	800 00
Total.....	8,000 00

VENTILATORS FOR CONDUIT.

8 ventilators, estimated at \$350 each	\$2,800 00
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ABSTRACT.

Cut stone dam across Maryland channel.....	\$19,927 00
Masonry at the feeder and head of conduit.....	1,760 00
Gate-house at the Great falls.....	3,980 00
Bridges Nos. 1, 2, 3, & 4	24,220 00
Connecting conduit at the receiving reservoir.....	70,897 00
Distributing reservoir.....	287,911 00
Central gate-house at receiving reservoir.....	20,239 00
Effluent gate-house at receiving reservoir.....	10,557 00
Influent gate-house at receiving reservoir.....	6,329 00
Auxiliary gate-house at receiving reservoir.....	2,146 00
Stair well-house at receiving reservoir	1,218 00
Pipe vault at receiving reservoir.....	7,500 00
High service reservoir.....	8,000 00
Ventilators for conduit.....	2,800 00
Embankment over conduit.....	8,000 00
Fencing conduit and reservoirs.....	20,000 00
Land and law expenses.....	5,000 00
Engineering, superintending, and repairs.....	30,000 00
	560,484 00
Add ten per cent. for contingencies.....	56,048 00
Total.....	616,532 00
Deduct amount of appropriation on hand September 23	7,058 00
Amount of appropriation required to complete.....	609,474 00

Now that the war is over, and peace and union again prevail throughout the United States, it is to be hoped that Congress will see the necessity of making an appropriation to complete this great national work, which, when fully completed, will be worthy of the American nation and second to none on the continent; one which will be a credit to the accomplished engineer who designed the works; one that will furnish to the cities of Washington and Georgetown an unfailing and abundant supply of water.

I have the honor to be, sir, very respectfully, your obedient servant,

THEODORE B. SAMO,

Engineer in charge of the Washington Aqueduct.

Colonel J. H. SIMPSON,
Corps of Engineers United States Army.

The following are my estimates of appropriations required on account of this office:

Estimate of appropriations required to meet deficiencies for the fiscal year commencing 1st day of July, 1865, and terminating 30th day of June, 1866, on account of engineer office, Department of the Interior, having the supervision of the Pacific railroad and branches, the land grant railroads, the wagon roads, and the Washington aqueduct, &c.:

1 clerk, 6 months, at \$1,800 per year.....	\$900 00
1 clerk, 6 months, at \$1,500 per year.....	750 00
1 clerk, 6 months, at \$1,200 per year.....	600 00
Compensation of 3 government commissioners, Central Pacific railroad, appointed agreeably to act of July 1, 1862, and amended act of July 2, 1864, and instructed by the Secretary of the Interior to attend meeting of board of government directors, commissioners, and engineer, at Washington, D. C., January 10, 1866, for purpose of fixing standard of railroad to which the Pacific railroad and branches shall conform—75 days, at \$8 per day each.....	1,800 00

Mileage of said 3 commissioners from San Francisco to Washington, 6,569 miles and back, at 10 cents per mile.....	3,941 40
Compensation of 5 government directors while attending meeting of board of government directors, commissioners, and engineer, for purposes above stated—15 days at \$8 per day each.....	600 00
Mileage of do. from their residences to Washington and back.....	700 00
Mileage of government engineer from Cincinnati, Ohio, to Omaha, Nebraska, and thence to Washington, in July, 1865, directed by the President of the United States to examine and report upon Union Pacific railroad routes west from Omaha, 2,902 miles, at 10 cents per mile.....	290 20
Mileage of do. from Washington to New York and back in August, 1865, on account of Union Pacific railway, 225 miles each way, at 10 cents per mile.....	45 00
Compensation of 3 government commissioners appointed by the President of the United States, agreeably to act of July 1, 1862, to examine 40 miles of Union Pacific railroad, eastern division, (Kansas branch,) in May, 1865, 14 days, at \$8 per day each.....	336 00
Mileage of do. at 10 cents per mile.....	200 00
Compensation of 3 government commissioners appointed by the President of the United States to re-examine 40 miles Union Pacific railroad, eastern division, in October, 1865, 31 days, at \$8 each per day.....	744 00
Mileage at 10 cents per mile.....	500 00
Compensation and mileage of government commissioners Central Pacific railroad during two examinations already made of railroad, at \$500 each.....	1,000 00
Compensation and mileage of 3 commissioners of Union Pacific railroad, Union Pacific railroad, eastern division, and of Central Pacific railroad, appointed by President agreeably to act of July 1, 1862, and amended act of July 2, 1864, during probable examinations of railroad before close of fiscal year, two examinations, 20 days each, at \$1,000.....	6,000 00
Compensation and mileage of commissioners to examine portions of railroads reported completed according to law, to which grants of land enure.....	2,500 00
Pay, subsistence, and transportation of surveying party required by act approved July 1, 1862, to make the surveys to enable the President of the United States to fix the point on the one hundredth meridian of longitude, between the south margin of the valley of the Republican river and the north margin of the valley of the Platte river, at which the several branch roads shall converge and meet the Union Pacific railroad.....	20,000 00
Drawing instruments, mapping material, stationery, &c.....	150 00
Cost of completing bridge over Big Sioux river near Sioux City.....	10,000 00
Incidental travelling expenses.....	1,000 00
Contingencies of Pacific railroad and branches and wagon roads.....	10,363 32
Total.....	<u>62,419 92</u>

Estimate of appropriations required for the fiscal year commencing 1st day of July, 1866, and terminating 30th day of June, 1867, on account of engineer office, Department of the Interior, having the supervision of the Pacific railroad and branches, the land grant railroads, the wagon roads, and the Washington aqueduct, &c :

Compensation of clerk.....	\$1,800 00
Compensation of clerk.....	1,500 00
Compensation of clerk.....	1,200 00
Compensation and mileage of 3 commissioners appointed by the President of the United States agreeably to act of July 1, 1862, and amended act of July 2, 1864, to examine from time to time and report upon certain completed portions of the Pacific railroad and branches, to wit, Union Pacific railroad, Union Pacific railroad, eastern division, Atchison branch, and Central Pacific railroad, each two examinations of 20 days, at \$1,000 each.....	8,000 00
Compensation and mileage of commissioners to examine portions of railroads reported completed according to law, and to which grants of land enure..	5,000 00
Drawing instruments, mapping materials, stationery, &c.....	200 00
Add 20 per cent. for contingencies.....	3,540 00
Total.....	<u>21,240 00</u>

All of which is respectfully submitted :

J. H. SIMPSON,
Lieutenant Colonel Engineers, in charge.





